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**Legislative Assembly  
of Ontario**First Session, 38<sup>th</sup> Parliament**Assemblée législative  
de l'Ontario**Première session, 38<sup>e</sup> législature**Official Report  
of Debates  
(Hansard)****Journal  
des débats  
(Hansard)****Wednesday 19 November 2003****Mercredi 19 novembre 2003**Speaker  
Honourable Alvin CurlingClerk  
Claude L. DesRosiersPrésident  
L'honorable Alvin CurlingGreffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 19 November 2003

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 19 novembre 2003

*The First Session of the 38th Parliament of the province of Ontario opened at 3 pm for the dispatch of business pursuant to a proclamation of His Honour James K. Bartleman, Lieutenant Governor of the province.*

*His Honour the Lieutenant Governor entered the chamber and took his seat upon the throne.*

**Hon James K. Bartleman (Lieutenant Governor):** Pray be seated.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I am commanded by His Honour the Lieutenant Governor to state that he does not see fit to declare the causes of the summoning of the present Legislature of this province until a Speaker of this House shall have been chosen according to law, but tomorrow, at 3 o'clock in the afternoon, His Honour will declare the causes of the calling of this Legislature.

*His Honour was then pleased to retire.*

### ELECTION OF SPEAKER ÉLECTION DU PRÉSIDENT

**Clerk of the House (Mr Claude L. DesRosiers):** Members of the Legislative Assembly, it is my duty to call upon you to elect one of your number to preside over your deliberations as Speaker. Therefore, I ask for nominations for the office of Speaker.

**M. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** C'est avec plaisir que je, Jean-Marc Lalonde, député de Glengarry-Prescott-Russell, propose, appuyé par la députée de Toronto-Danforth, Marilyn Churley, que M. Alvin Curling, député de la circonscription de Scarborough-Rivière Rouge, prenne le fauteuil en tant que Président de l'Assemblée législative.

It is with great honour that I, Jean-Marc Lalonde, MPP for Glengarry-Prescott-Russell, move, seconded by the member for Toronto-Danforth, Marilyn Churley, that Alvin Curling, member for the riding of Scarborough-Rouge River, do take the chair of the House as Speaker.

**Clerk of the House:** Does the honourable member for Scarborough-Rouge River accept the nomination?

**Mr Alvin Curling (Scarborough-Rouge River):** Yes.

**Clerk of the House:** Are there any more nominations?

**Mr Norman W. Sterling (Lanark-Carleton):** Mr Clerk, I would like to nominate a man of great integrity, a former Deputy Speaker. I would like to nominate, seconded by Mr Cam Jackson, Michael Brown.

**Clerk of the House:** Does the member for Algoma-Manitoulin accept the nomination?

**Mr Michael A. Brown (Algoma-Manitoulin):** Mr Clerk, I decline.

**Clerk of the House:** Are there any further nominations?

**Mr Howard Hampton (Kenora-Rainy River):** I, Howard Hampton, member for Kenora-Rainy River, move, seconded by Rosario Marchese, member for Trinity-Spadina, that Kuldip Kular, member of the electoral district of Bramalea-Gore-Malton-Springdale, do take the chair of the House as Speaker.

**Clerk of the House:** Does the honourable member from Bramalea-Gore-Malton-Springdale accept the nomination?

**Mr Kuldip Kular (Bramalea-Gore-Malton-Springdale):** I decline.

**Clerk of the House:** Are there any other nominations?

**Mr Peter Kormos (Niagara Centre):** I, Peter Kormos, New Democrat MPP for Niagara Centre, move, seconded by Gilles Bisson, New Democrat MPP for Timmins-James Bay, that Mike Colle, Liberal member of the electoral district of Eglinton-Lawrence, do take the chair of the House as Speaker.

**Clerk of the House:** Does the honourable member from Eglinton-Lawrence accept the nomination?

**Mr Mike Colle (Eglinton-Lawrence):** I respectfully decline the nomination.

**Mr Rosario Marchese (Trinity-Spadina):** I, Rosario Marchese, move, seconded by Shelley Martel from Nickel Belt, that Caroline Di Cocco, member of the electoral district of Sarnia-Lambton, do take the chair of the House as Speaker.

**Clerk of the House:** Does the honourable member for Sarnia-Lambton accept the nomination?

**Ms Caroline Di Cocco (Sarnia-Lambton):** I decline.

**Clerk of the House:** Are there any more nominations?

**Mr Hampton:** I, Howard Hampton, move, seconded by Peter Kormos of Niagara Centre, that Shafiq Qadri, member of the electoral district of Etobicoke North, do take the chair of the House as Speaker.

**Clerk of the House:** Does the honourable member for Etobicoke North accept the nomination?

**Mr Shafiq Qadri (Etobicoke North):** I thank the honourable member for his extreme confidence, but I respectfully decline this nomination.

**Clerk of the House:** The honourable member.



1510

**Mr Kormos:** I, Peter Kormos, New Democrat and member for Niagara Centre, move, seconded by Rosario Marchese, well-known New Democrat and member for Trinity-Spadina, that Donna Cansfield, member of the electoral district of Etobicoke Centre, do take the chair of the House as Speaker and contest this important position to make it truly democratic in its selection.

**Clerk of the House:** Does the honourable member from Etobicoke Centre accept the nomination?

**Mrs Donna H. Cansfield (Etobicoke Centre):** I thank you two for your confidence, but I respectfully decline.

**Clerk of the House:** Any further nominations?

**Mr Marchese:** I, Rosario Marchese, a good and proud New Democrat, move, seconded by Howard Hampton from Kenora-Rainy River, that Vic Dhillon, member of the electoral district of Brampton West-Mississauga, do take the chair of the House as Speaker.

**Clerk of the House:** Does the honourable member for Brampton West-Mississauga accept the nomination?

**Mr Vic Dhillon (Brampton West-Mississauga):** I do not.

**Clerk of the House:** Any further nominations?

**Ms Shelley Martel (Nickel Belt):** Mr Chair, I, Shelley Martel, NDP MPP for Nickel Belt, move, seconded by Rosario Marchese, NDP MPP for Trinity-Spadina, that Mario Sergio, member of the electoral district of York West, do take the chair of the House as Speaker.

**Clerk of the House:** Does the honourable member for York West accept the nomination?

**Mr Mario Sergio (York West):** It is an honour for any member to be Speaker, but I kindly decline.

**Clerk of the House:** Any further nominations?

**Mr Kormos:** Of course there are.

*Interjections.*

**Mr Kormos:** Please, please. This is important. I was here in 1990 when we first elected a Speaker. It would be nice to elect one again, rather than have one appointed by the Premier.

I, Peter Kormos, move, seconded by Howard Hampton, leader of the Ontario New Democratic Party, that Kathleen Wynne, member of the electoral district of Don Valley West, do take the chair of the House as Speaker.

**Clerk of the House:** Does the honourable member for Don Valley West accept the nomination?

**Ms Kathleen O. Wynne (Don Valley West):** Thank you for the honour of your nomination, but I decline.

**Clerk of the House:** Further nominations?

**Mr Kormos:** In the interest of true electoral democracy, I, Peter Kormos, MPP for Niagara Centre and lifelong New Democrat, move, seconded by Shelley Martel, member for Nickel Belt and heir of the NDP dynasty of Nickel Belt, that Dominic Agostino, member of the electoral district of Hamilton East, overlooked for cabinet, do take the chair of the House as Speaker.

**Clerk of the House:** Does the honourable member for Hamilton East accept the nomination?

**Mr Dominic Agostino (Hamilton East):** I appreciate the confidence of the independent member from Niagara Centre, but I decline.

**Clerk of the House:** Further nominations?

**Ms Martel:** I, Shelley Martel, NDP MPP for Nickel Belt, seconded by Mr Gilles Bisson, NDP MPP for Timmins-James Bay—two northerners—move that Michael Brown, another northerner, member of the electoral district of Algoma-Manitoulin, do take the chair of the House as Speaker. Northerners are supporting you.

**Clerk of the House:** The member for Algoma-Manitoulin has already declined the nomination.

Are there any further nominations?

There being no further nominations, I declare the nominations closed.

It is my honour to declare the honourable member for Scarborough-Rouge River elected as your Speaker.

*Applause.*

**The Speaker (Hon Alvin Curling):** Thank you very much. It's indeed an honour. I first want to thank the member for Glengarry-Prescott-Russell, who nominated me, and the member for Toronto-Danforth, who seconded that motion, to be the Speaker of the House.

To the people of Scarborough-Rouge River, who put me here, I want to thank them also for the commitment they have made, and to have demonstrated that I can represent them and also represent the people of the province of Ontario. I want to thank them too.

I also want to thank my family who are here today, my daughters and my son and brothers. I simply want to say how much I appreciate their support over the long, dragging years. I also want to thank some wonderful friends who are here today to witness this.

It's important, I know; it's a very important job. I know that this job cannot be done successfully unless I have the full co-operation of the entire House. I know the responsibility is to be fair and to be disciplined in a manner to make sure that we carry out the duties of the people of Ontario. My job is to make sure that every individual member here gets the opportunity to do so.

What an honour has been bestowed upon me. The challenges that are before us are huge. The government has set forth its agenda. The opposition and the independent members do have their perspectives to be heard in this House, and it will be my delight and my honour to do so.

I would ask of you all to assist me during this time to make this House an example for the democratic arena that we have in the world. Thank you very much.

## MEMBERS' SEATING

## PLAN DE LA CHAMBRE

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: This is not the time to pose the argument, but with respect, I advise you that it is our



intention to raise at the earliest reasonable opportunity and to argue a point of order regarding the seating arrangements in this House, which we will put to you are not only unconventional but defy parliamentary convention and tradition and constitute a contempt of this Parliament because they contradict that convention and tradition. We will be calling upon you to address that.

As I say, I want to put you on notice in that regard. I don't want there to be any sense of acquiescence on the part of the seven New Democrats to this seating arrangement.

**M. Gilles Bisson (Timmins-Baie James):** Sur un point d'ordre, monsieur le Président: Comme membre de l'Assemblée, comme néo-démocrate, j'aimerais vous

féliciter pour votre acclamation, mais j'aurais bien mieux aimé avoir une élection comme Président. Tout de même, on va travailler avec vous comme notre Président.

**The Speaker (Hon Alvin Curling):** I want to thank the member. I've listened carefully and I'm looking forward to the point of order to be raised at the appropriate time, as the member said.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I move adjournment of the House.

**The Speaker:** Is it the pleasure of the House that we adjourn? Agreed. We're adjourned until 3 o'clock tomorrow.

*The House adjourned at 1521.*



**LEGISLATIVE ASSEMBLY OF ONTARIO  
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman

Speaker / Président: Hon / L'hon Alvin Curling

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Agostino, Dominic (L)	Hamilton East / -Est	Parliamentary assistant to the Minister of the Environment / adjoint parlementaire à la ministre de l'Environnement
Arnott, Ted (PC)	Waterloo-Wellington	
Arthurs, Wayne (L)	Pickering-Ajax-Uxbridge	Parliamentary assistant to the Chair of the Management Board of Cabinet / adjoint parlementaire au président du Conseil de gestion du gouvernement
Baird, John R. (PC)	Nepean-Carleton	
Barrett, Toby (PC)	Haldimand-Norfolk-Brant	
<b>Bartolucci, Hon / L'hon Rick (L)</b>	Sudbury	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
<b>Bentley, Hon / L'hon Christopher (L)</b>	London West / -Ouest	Minister of Labour / ministre du Travail
Berardinetti, Lorenzo (L)	Scarborough Southwest / -Sud-Ouest	
Bisson, Gilles (Ind)	Timmins-James Bay / Timmins-Baie James	
<b>Bountrogianni, Hon / L'hon Marie (L)</b>	Hamilton Mountain	Minister of Children's Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance, ministre des Affaires civiques et de l'Immigration
<b>Bradley, Hon / L'hon James J. (L)</b>	St Catharines	Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs
Brotten, Laurel C. (L)	Etobicoke-Lakeshore	Parliamentary assistant to the Premier / adjointe parlementaire au premier ministre
Brown, Michael A. (L)	Algoma-Manitoulin	Parliamentary assistant to the Minister of Natural Resources / adjoint parlementaire au ministre des Richesses naturelles
Brownell, Jim (L)	Stormont-Dundas- Charlottenburgh	
<b>Bryant, Hon / L'hon Michael (L)</b>	St Paul's	Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique
Cansfield, Donna H. (L)	Etobicoke Centre / -Centre	Parliamentary assistant to the Minister of Energy / adjointe parlementaire au ministre de l'Énergie
<b>Caplan, Hon / L'hon David (L)</b>	Don Valley East / -Est	Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint
<b>Chambers, Hon / L'hon Mary Anne V. (L)</b>	Scarborough East / -Est	Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Chudleigh, Ted (PC)	Halton	
Churley, Marilyn (Ind)	Toronto-Danforth	
Colle, Mike (L)	Eglinton-Lawrence	Parliamentary assistant to the Minister of Finance / adjoint parlementaire au ministre des Finances
<b>Cordiano, Hon / L'hon Joseph (L)</b>	York South-Weston / York-Sud-Weston	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Craiton, Kim (L)	Niagara Falls	
Crozier, Bruce (L)	Essex	
<b>Curling, Hon / L'hon Alvin (L)</b>	Scarborough-Rouge River	Speaker / Président
Delaney, Bob (L)	Mississauga West / -Ouest	
Dhillon, Vic (L)	Brampton West-Mississauga / Brampton-Ouest-Mississauga	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Di Cocco, Caroline (L)	Sarnia-Lambton	Parliamentary assistant to the minister responsible for democratic renewal / adjointe parlementaire au ministre responsable du Renouveau démocratique
<b>Dombrowsky, Hon / L'hon Leona (L)</b>	Hastings-Frontenac-Lennox and Addington	Minister of the Environment / ministre de l'Environnement
Duguid, Brad (L)	Scarborough Centre / -Centre	Parliamentary assistant to the Minister of Municipal Affairs (Urban) / adjoint parlementaire au ministre des Affaires municipales (Secteur urbain)
<b>Duncan, Hon / L'hon Dwight (L)</b>	Windsor-St Clair	Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement
Dunlop, Garfield (PC)	Simcoe North / -Nord	
Eves, Ernie (PC)	Dufferin-Peel-Wellington-Grey	Leader of the Opposition / chef de l'opposition
Flaherty, Jim (PC)	Whitby-Ajax	
Flynn, Kevin Daniel (L)	Oakville	
Fonseca, Peter (L)	Mississauga East / -Est	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
<b>Gerretsen, Hon / L'hon John (L)</b>	Kingston and the Islands / Kingston et les îles	Minister of Municipal Affairs, minister responsible for seniors / ministre des Affaires municipales, ministre délégué aux Affaires des personnes âgées
Gravelle, Michael (L)	Thunder Bay-Superior North / -Nord	Parliamentary assistant to the Minister of Labour / adjoint parlementaire au ministre du Travail
Hampton, Howard (Ind)	Kenora-Rainy River	
Hardeman, Ernie (PC)	Oxford	
Hoy, Pat (L)	Chatham-Kent Essex	
Hudak, Tim (PC)	Erie-Lincoln	
Jackson, Cameron (PC)	Burlington	
Jeffrey, Linda (L)	Brampton Centre / -Centre	
<b>Kennedy, Hon / L'hon Gerard (L)</b>	Parkdale-High Park	Minister of Education / ministre de l'Éducation
Klees, Frank (PC)	Oak Ridges	
Kormos, Peter (Ind)	Niagara Centre / -Centre	
Kular, Kuldip(L)	Bramalea-Gore-Malton-Springdale	Parliamentary assistant to the Minister of Citizenship and Immigration / adjoint parlementaire à la ministre des Affaires civiques et de l'Immigration
<b>Kwinter, Hon / L'hon Monte (L)</b>	York Centre / -Centre	Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Lalonde, Jean-Marc (L)	Glengarry-Prescott-Russell	
Leal, Jeff (L)	Peterborough	
Levac, Dave (L)	Brant	
Marchese, Rosario (Ind)	Trinity-Spadina	
Marsales, Judy (L)	Hamilton West / -Ouest	
Martel, Shelley (Ind)	Nickel Belt	
Martiniuk, Gerry (PC)	Cambridge	
Matthews, Deb (L)	London North Centre / London Centre-Nord	Parliamentary assistant to the Minister of Community and Social Services / adjointe parlementaire à la ministre des Services sociaux et communautaires
Mauro, Bill (L)	Thunder Bay-Atikokan	Parliamentary assistant to the Minister of Northern Development and Mines / adjoint parlementaire au ministre du Développement du Nord et des Mines
<b>McGuinty, Hon / L'hon Dalton (L)</b>	Ottawa South / -Sud	Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales
McMeekin, Ted (L)	Ancaster-Dundas-Flamborough-Aldershot	Parliamentary assistant to the minister responsible for seniors / adjoint parlementaire au ministre délégué aux Affaires des personnes âgées
McNeely, Philip (L)	Ottawa-Orléans	



Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
<b>Meilleur, Hon / L'hon Madeleine</b> (L)	Ottawa-Vanier	Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound-Muskoka	
Milloy, John (L)	Kitchener Centre / -Centre	Parliamentary assistant to the Minister of Intergovernmental Affairs / adjoint parlementaire au ministre des Affaires intergouvernementales
Mitchell, Carol (L)	Huron-Bruce	Parliamentary assistant to the Minister of Agriculture and Food / adjointe parlementaire au ministre de l'Agriculture et de l'Alimentation
Mossop, Jennifer F. (L)	Stoney Creek	Parliamentary assistant to the Minister of Culture / adjointe parlementaire à la ministre de la Culture
Munro, Julia (PC)	York North / -Nord	
Murdoch, Bill (PC)	Bruce-Grey-Owen Sound	
O'Toole, John (PC)	Durham	
Oraziotti, David (L)	Sault Ste Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Parsons, Ernie (L)	Prince Edward-Hastings	Parliamentary assistant to the Minister of Transportation / adjoint parlementaire au ministre des Transports
Patten, Richard (L)	Ottawa Centre / -Centre	Parliamentary assistant to the Minister of Education / adjoint parlementaire au ministre de l'Éducation
<b>Peters, Hon / L'hon Steve</b> (L)	Elgin-Middlesex-London	Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
Peterson, Tim (L)	Mississauga South / -Sud	Parliamentary assistant to the Minister of Tourism and Recreation / adjoint parlementaire au ministre du Tourisme et des Loisirs
<b>Phillips, Hon / L'hon Gerry</b> (L)	Scarborough-Agincourt	Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement
Prue, Michael (Ind)	Beaches-East York / Beaches-York-Est	
<b>Pupatello, Hon / L'hon Sandra</b> (L)	Windsor West / -Ouest	Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
Qaadri, Shafiq (L)	Etobicoke North / -Nord	Parliamentary assistant to the Minister of Children's Services / adjoint parlementaire à la ministre des Services à l'enfance
Racco, Mario G. (L)	Thornhill	
Ramal, Khalil (L)	London-Fanshawe	
<b>Ramsay, Hon / L'hon David</b> (L)	Timiskaming-Cochrane	Minister of Natural Resources / ministre des Richesses naturelles
Rinaldi, Lou (L)	Northumberland	Parliamentary assistant to the Minister of Public Infrastructure Renewal / adjoint parlementaire au ministre du Renouvellement de l'infrastructure publique
Runciman, Robert W. (PC)	Leeds-Grenville	
Ruprecht, Tony (L)	Davenport	
Sandals, Liz (L)	Guelph-Wellington	Parliamentary assistant to the Minister of Community Safety and Correctional Services / adjointe parlementaire au ministre de la Sécurité communautaire et des Services correctionnels
Scott, Laurie (PC)	Haliburton-Victoria-Brock	
Sergio, Mario (L)	York West / -Ouest	Parliamentary assistant to the Minister of Consumer and Business Services / adjoint parlementaire au ministre des Services aux consommateurs et aux entreprises
Smith, Monique (L)	Nipissing	Parliamentary assistant to the Minister of Health and Long-Term Care / adjointe parlementaire au ministre de la Santé et des Soins de longue durée
<b>Smitherman, Hon / L'hon George</b> (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
<b>Sorbara, Hon / L'hon Gregory S.</b> (L)	Vaughan-King-Aurora	Minister of Finance / ministre des Finances
Sterling, Norman W. (PC)	Lanark-Carleton	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
<b>Takhar, Hon / L'hon Harinder S. (L)</b>	Mississauga Centre / -Centre	Minister of Transportation / ministre des Transports
Tascona, Joseph N. (PC)	Barrie-Simcoe-Bradford	
Van Bommel, Maria (L)	Lambton-Kent-Middlesex	Parliamentary assistant to the Minister of Municipal Affairs (Rural) / adjointe parlementaire au ministre des Affaires municipales (Secteur rural)
<b>Watson, Hon / L'hon Jim (L)</b>	Ottawa West-Nepean / Ottawa-Ouest-Nepean	Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
Wilkinson, John (L)	Perth-Middlesex	
Wilson, Jim (PC)	Simcoe-Grey	
Witmer, Elizabeth (PC)	Kitchener-Waterloo	
Wong, Tony C. (L)	Markham	Parliamentary assistant to the Minister of Economic Development and Trade / adjoint parlementaire au ministre du Développement économique et du Commerce
Wynne, Kathleen O. (L)	Don Valley West / -Ouest	Parliamentary assistant to the Minister of Training, Colleges and Universities / adjointe parlementaire à la ministre de la Formation et des Collèges et Universités
Yakabuski, John (PC)	Renfrew-Nipissing-Pembroke	
Zimmer, David (L)	Willowdale	Parliamentary assistant to the Attorney General / adjoint parlementaire au procureur général









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**Legislative Assembly  
of Ontario**

First Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Thursday 20 November 2003**

**Jeudi 20 novembre 2003**

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers





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## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 20 November 2003

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 20 novembre 2003

*The House met at 1500.*

*His Honour the Lieutenant Governor entered the chamber and took his seat upon the throne.*

**Hon James K. Bartleman (Lieutenant Governor):** Pray be seated.

**The Speaker (Hon Alvin Curling):** May it please Your Honour, the Legislative Assembly has elected me as their Speaker, though I am but little able to fulfill the important duties thus assigned to me.

If, in performance of those duties, I should at any time fall into error, I pray that the fault may be imputed to me and not to the assembly, whose servant I am and who, through me, the better to enable them to discharge their duty to their Queen and country, hereby claim all their undoubted rights and privileges, especially that they may have freedom of speech in their debates, access to your person at all seasonable times and that their proceedings may receive from you the most favourable consideration.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** Speaker, I am commanded by His Honour the Lieutenant Governor to declare to you that he freely confides in the duty and attachment of the assembly to Her Majesty's person and government and, not doubting that the proceedings will be conducted with wisdom, temperance and prudence, he grants and upon all occasions will recognize and allow the constitutional privileges.

I am commanded also to assure you that the assembly shall have ready access to His Honour upon all suitable occasions and that their proceedings, as well as your words and actions, will constantly receive from him the most favourable construction.

*His Honour the Lieutenant Governor was pleased to open the session by reading the speech from the throne.*

### SPEECH FROM THE THRONE

#### DISCOURS DU TRÔNE

**Hon James K. Bartleman (Lieutenant Governor):** Mr Speaker, members of the Legislative Assembly, citizens of Ontario:

Canada lists among its hallmarks peace, order and good government.

Ontario has a parliamentary tradition that allows for a peaceful and orderly transition from an old government to a new one.

Following the recent election, I asked Dalton McGuinty to form the government of Ontario.

I then presided over the swearing-in of the new Premier and the executive council.

Today, it is my privilege as Her Majesty's representative to deliver this new government's first speech from the throne.

Your new government looks to the future with high hopes.

It knows what Ontarians can do because it has seen what Ontarians have done.

There have been pulls on the seams in our social fabric—but this fabric has refused to tear.

There have been challenges to the health of our economy—but this economy remains strong.

There have been those who would dismiss our values as out of date—but these values have proven timeless.

Ontarians can do anything, when they work, and dream, and build together.

What they ask of their government is honesty, responsibility, hard work, innovation, and a genuine commitment to the future.

Your new government is honest enough to tell you about the challenges we face.

So here are the facts: Ontario faces a major problem, one that stands in the way of a better future for all of us.

And it's urgent that we fix it.

It threatens the important public services we have now, and our opportunity to improve them in the future.

This isn't lofty rhetoric. This is down-to-earth reality.

Your new government asked former Provincial Auditor Erik Peters to give you the straight goods on Ontario's budgetary position.

He reported that Ontario faces a \$5.6-billion inherited deficit.

Irresponsible tax cuts have meant that, since the year 2000, program spending has grown more than 10 times faster than tax revenue.

Ontario's economy is strong, but the provincial government's finances are weak, and that threatens the public services we all need to keep our economy strong.

The state of the province's finances is simply not sustainable or affordable—not for Ontario families, and certainly not for their children and grandchildren.

Your new government will take this challenge on, working with you.

It will not paper over this problem with money it does not have.

It will not try to make it disappear with accounting tricks.

And it will never sit on its hands and do nothing.



If it did nothing, the \$5.6-billion inherited deficit would grow to \$7.7 billion next year, and nearly \$8.6 billion in 2007.

That's not an option, not when the amount Ontario already spends on servicing the provincial debt—\$8.7 billion—is almost as much as we spend on our schools.

That's not an option, when doing nothing would mean less and less support for the public services Ontarians depend on.

Your new government was elected to improve our health care and our schools, to build stronger communities and an even stronger economy.

And it will deliver real, positive change in all of these areas.

It will do so relentlessly, but responsibly.

The first improvements it makes will make a real difference. But they will be affordable and they will be responsible.

A contractor hired to add rooms to the second floor of your house would be negligent if he discovered a fire in the basement—and failed to put it out.

A government elected to improve health care and education would be negligent if it discovered a deficit large enough to threaten the hospitals and schools we have now—and chose to ignore it.

Your new government chooses to tackle this problem for the right reasons—not so it can hand out tax cuts to a few, but so it can provide opportunity for all by preserving and then improving Ontario's important public services.

In this session, this Legislature will be asked to take immediate action on the inherited \$5.6-billion deficit.

Our corporate taxes are already competitive, so your new government made a commitment to roll back the latest portion of the tax cut for corporations.

Legislation will be introduced to keep that commitment.

**1510**

Les familles de l'Ontario ont dit au nouveau gouvernement de ne pas diminuer leurs impôts pour le moment parce que toute réduction d'impôt augmenterait le déficit et menacerait les services publics.

En conséquence, le nouveau gouvernement s'est engagé à maintenir le taux d'imposition du revenu des particuliers à son niveau actuel.

Le gouvernement proposera une loi pour respecter cet engagement.

Ontario families have told your new government not to reduce their taxes at this time, because it cannot afford tax cuts without adding to the deficit and threatening public services.

So this new government made a commitment to maintain personal income tax rates at the current level.

Legislation will be introduced to keep that commitment.

Our seniors want good schools for their grandchildren, so this new government made a commitment to eliminate the seniors' education tax credit.

Legislation will be introduced to keep that commitment.

Our public schools have fallen into disrepair and discord, and require new resources and a fresh approach, so this new government made a commitment to cancel the tax credit for private schools.

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Ontarians want their hard-earned tax dollars used to serve them—not to spin them.

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Ontarians want everyone to do their part, so this new government made a commitment to ensure corporations that have not been paying their taxes start paying their fair share.

That commitment will be kept.

Ontarians want the government to spend their tax dollars wisely, so this government made a commitment to reduce what the Provincial Auditor has called an over-reliance on highly paid consultants.

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Ontarians want their government to live within its means, so your new government made a commitment to have a responsible approach to the province's finances, for a change.

In the face of what we now know is a \$5.6-billion inherited deficit, the current electricity price freeze is neither sustainable nor responsible.

It keeps prices artificially low and makes Ontarians pay the difference. It threatens our ability to improve our education and health care.

Your new government will present an electricity pricing plan that better reflects the true cost of electricity—and the true state of Ontario's finances—while giving Ontarians an incentive to conserve.

Taken together, these measures will take your new government a long way toward keeping one of its core commitments: achieving a truly balanced budget.

But the job will not be done, and it cannot be completed, without the help of millions of Ontarians.

The new year will see this new government engage Ontarians in a new dialogue.

Your new government will ask Ontarians to help write next spring's budget, by putting before them the real choices facing this province.

It will put before the public ideas that are big and bold and even controversial.

Ontarians understand that you cannot tackle a big problem by tinkering around its edges, and you can't deliver real, positive change by doing things the same, old way.

We need to change how government works so it works for Ontarians in a way that's responsible, affordable, and sustainable.

This is not exactly the job your new government applied for, but it is the job it has been given to do.

And it will get the job done.

It will get the job done because it's the right thing to do: This year's deficit alone would cost Ontarians an additional \$280 million in additional interest payments.

By the end of year four of this mandate, that number would grow to \$1.1 billion—enough to pay for 15,000 nurses, 16,000 teachers, or 1,000 MRIs.

Your new government will get the job done so that it can provide more nurses, teachers, and MRIs for Ontario families—instead of additional interest payments for Ontario's creditors.

Your new government remains determined to deliver real, positive change by improving the public services Ontarians depend on.

It is equally resolute that it must first secure the fiscal foundation upon which those services are built.

It is a foundation we must secure together, in the public interest.

Your new government will ask its partners in health care, education, and the broader public sector to temper their requests for more with the realization that what we have now is at risk.

If Ontarians work together today, in a responsible way, we can build an even brighter future tomorrow.

Your new government knows we can only achieve great things when we work, and dream, and build together, for a change.

And it is confident that Ontarians will respond to the challenge before us.

This challenge will affect the pace of change.

But your new government will make change happen.

That change has already started, and it will continue in this session of the Legislature.

These changes will be affordable, gradual, and practical.

They will make a real, positive difference in the lives of Ontarians.

They will reflect Ontarians' values, and Ontarians' priorities.

Your new government's first and most important priority will always be excellence in public education.

Its goal is to make Ontario's public education the world's best education.

The groundwork for this shared accomplishment will be set in this session.

Your new government will keep its commitment to introduce legislation designed to cancel the reckless private school tax credit that drains dollars and hope away from better public education.

It will keep its commitment to bring stability and peace to a system that has been racked by turmoil for too long.

It proposes to form a genuine education partnership with this province's school boards, principals, teachers, the wider community, and most important, parents and students.

Your new government will work with schools to make real improvements in children's reading, writing and math skills.

It will keep its commitment to make our schools safer.

School councils will be invited to conduct safety audits to evaluate their need for enhancements such as security cameras at school entrances to keep out intruders.

A provincial anti-bullying hotline will be established and anti-bullying programs developed at all schools.

Communities will be asked to define citizenship values for Ontario's new character education program in their local school boards to strengthen our students' education experience.

Your new government will treat educators with the respect they deserve as the single most important influence, apart from the family, in terms of shaping the future of our children and our province.

The Premier will institute the Premier's Awards for Teaching Excellence to celebrate exceptional teachers and the work they do for their students.

New programs to ensure teaching excellence—designed in co-operation with a revitalized Ontario College of Teachers—will replace the expensive and unproductive teacher testing program.

Les écoles appartiennent aux parents, aux enfants ainsi qu'aux collectivités où ils vivent et étudient.

C'est pourquoi votre gouvernement a déjà respecté l'engagement qu'il a pris de restaurer le principe de la démocratie locale dans les conseils scolaires.

Votre gouvernement reconnaît l'urgente nécessité d'adopter une stratégie en matière d'éducation en français, et il va immédiatement constituer un groupe de travail chargé de veiller à ce que tous les enfants de l'Ontario reçoivent une excellente éducation.

Schools belong to parents, children, and the communities in which they live and learn.

That is why your new government has already kept its commitment to restore the principle of local democracy in our school boards.

It acknowledges the urgent need for a francophone education strategy and will strike a task force immediately to ensure that all Ontario children receive an excellent education.

The path to a better society, and a more prosperous economy, runs through our public schools.

Your new government believes that, for too long, that path has been strewn with conflict, cuts, and chaos.

It's time to begin to build a new path, with co-operation, creativity, and a genuine commitment to what's best for our children.

By tackling the inherited deficit, your new government will strengthen the foundation for its Excellence for All education plan, including smaller classes in the early grades, learning until age 18, and its Best Start plan for early childhood education.

Ontario's commitment to public education is a measure of our foresight.



Our commitment to medicare is a measure of our insight.

Ontarians understand that we are all made stronger by our system of universal, public medicare.

Ontarians want to be competitive—and compassionate.

Medicare makes us both.

1520

The Romanow Commission confirmed that Canadians do not want one system for the wealthy, who can buy their way to the front of the line, and another for everyone else, who would be forced to wait at the back of it.

In fact, your new government will be entering into new agreements for publicly owned hospitals in Brampton and Ottawa. This will ensure that these facilities are not privately owned.

It will keep its commitment to introduce the Commitment to the Future of Medicare Act.

If passed, it will protect and improve universal, public medicare for all Ontarians by making two-tier, pay-your-way-to-the-front-of-the-line health care illegal in Ontario.

If passed, it will enshrine in provincial law the five principles of medicare: universality, portability, comprehensiveness, public administration, and accessibility.

And it will add a sixth principle: accountability.

If a health care dollar is wasted, a patient waits. If a health care dollar is spent wisely, a patient benefits.

Legislation will also be introduced to keep this government's commitment to give the Provincial Auditor new powers to examine how public funds are spent by transfer partners in education and health care, including hospitals and other health care organizations.

Your new government will propose changes to give the chief medical officer of health the independence required to protect Ontarians.

New legislation will be introduced to create a new health quality council.

This independent council will report directly to Ontarians on how well their health care system is working—and how well their government is working to improve health care.

Your new government understands it can only hold others to a higher standard if it subjects itself to the same standard.

It is keeping its commitment to work with other governments to create a national health council.

It is keeping its commitment to work co-operatively with the federal government on health care, in the interests of Ontarians.

Already, this new approach is finding success. There is more money coming for health care. And the federal government committed this week to cover half of the true costs associated with SARS. This is welcome news, but there is much more to do, and your new government will continue to work with Ottawa to fix health care, instead of merely affixing blame.

Your new government understands that money alone will not save medicare. Nor will legislation alone. Real,

positive reform is needed, starting with primary health care.

It will keep its commitment to improve primary health care through the creation of family health teams, made up of health care professionals who will protect and promote the health of Ontarians.

These teams will ensure patients get care closer to home and health care dollars are wisely spent.

Your new government understands that promoting good health is as important as treating illness.

It will make cigarettes more expensive to prevent young people from lighting up, and it will make public and workplaces in Ontario smoke-free within three years.

Like public education, medicare is at a crossroads. Ontarians have told your new government which direction they want chosen—the one that protects and improves universal medicare.

By tackling the inherited deficit, your new government will strengthen the foundation for the Health Care We Need plan, including more family doctors, nurses, and hospital beds.

Ontario's economy is strong and vibrant, but it faces challenges from beyond our borders, and a threat from within.

Other jurisdictions are working hard to invest in building workforces that can attract the most investment and the best jobs.

Ironically, the province's own finances threaten to hold back our economy, by draining more dollars into servicing our debt, and limiting our ability to improve our workforce, and our prosperity.

Ontario's colleges, universities, and skills training programs are critical to creating prosperity.

Your new government will put in place a long-term plan that ensures the quality and accessibility of higher education for generations to come.

While that plan is put in place, tuition fees will be frozen for two years.

Your new government believes our province's diversity is a tremendous source of strength.

It will work with the federal government to finalize immigration and labour market development agreements that build on this strength.

It will keep its commitment to ensure that highly qualified, internationally trained tradespeople and professionals can work in their chosen field, here in their chosen province.

Your new government will celebrate the hard-working entrepreneurs who create jobs and attract investment, and support their endeavours here at home and abroad.

It will work to support and protect our hard-working farmers, and promote their products by promoting food safety.

It will take the necessary steps to assure Ontarians their meat is safe.

Your new government will do its part to ensure all of our businesses can operate in a stable climate, by delivering reliable, affordable electricity.

It will begin to bring new supply on-line, and pave the way for new electricity generation, by introducing a new, responsible plan for electricity pricing.

It will give Ontario businesses and families the information and tools they need to conserve electricity—and save money.

Trade with other provinces and other countries, particularly the United States, is our lifeblood. Our economy depends on it.

Your new government has already begun talks with other provinces, aimed at breaking down interprovincial trade barriers. And it will work with the federal and US state governments to ensure our borders are safe, efficient, and open to trade.

A commitment was made to help hard-working families make ends meet before they reach their wits' end. That commitment will be kept.

For the first time in eight years, there will be an increase in the minimum wage.

Legislation will be introduced to end the 60-hour workweek.

And action will be taken on auto insurance.

Your new government has already acted to stop applications for rate hikes, and will now work to bring rates down.

Your new government understands that for Ontario to succeed in a highly competitive and global economy, we need every Ontarian, from our youngest citizens to our seniors, at their best.

Your new government will keep its commitment to treat seniors with respect and dignity. Its first step will be to set high standards for nursing homes.

Your new government will work with Ontarians with disabilities on meaningful legislation that will allow them to fully participate in building a stronger province.

The strength of our province depends, too, on the strength of our communities.

Yet our communities are not all they can be.

Ontarians want cleaner air, their water protected, and their green space preserved.

They want their communities to be more livable, safer, stronger.

Your new government will strengthen our communities and work with other governments to create a new deal for cities.

It will keep its commitment to introduce legislation that will establish a permanent greenbelt across the Golden Horseshoe, and a new commission to protect it.

It will introduce legislation to establish a Greater Toronto Transportation Authority, which will improve public transit, reduce gridlock and improve the air we breathe.

Your new government will keep its commitment to ban the disposal of untreated toxic sludge.

It will keep its commitment to stop the practice of giving away our precious fresh water resources.

It will keep its commitment to implement the O'Connor recommendations, starting with the hiring of

more water inspectors and stronger protection of our drinking water at source.

Shortly, your new government will take the first steps toward replacing our biggest polluters by phasing out Ontario coal-fired electricity generating plants.

Communities will be encouraged to grow smart.

Your new government will introduce legislation that will give the Ontario Municipal Board a new direction—one that encourages sustainable growth instead of sprawl.

1530

It will keep its commitment to intensify growth within our cities by rehabilitating brownfields.

Your new government will make our communities safer.

More will be done to protect women and children from domestic violence, including improvements in the provision of second-stage housing for victims.

Your new government will work with the federal government to amend the Criminal Code to make it more difficult for accused abusers to make bail.

It will work with the police to develop risk assessments for those accused of domestic violence.

Deadbeat parents who fail to support their children will be held to their family responsibilities.

New measures will be put in place to ensure children get what they need and what they are owed.

Pregnant women on social assistance will get the nutritional supplements they need.

Your new government will introduce legislation to protect tenants with real rent control.

This government congratulates the newly elected municipal leaders across Ontario and invites them to work with this government, as partners.

It will keep its commitment to introduce legislation that ensures a strong voice for the north, by keeping 11 northern representatives in this chamber.

Your new government will create northern development councils as a direct link from northern communities to the Minister of Northern Development and Mines.

One of the first issues to be examined by these councils will be how to best encourage young northern Ontarians to stay in northern Ontario.

This new government's commitment to govern for all Ontarians—those from cities and towns, from north and south—will be kept.

Ontarians have said they do not want their province divided by region or area code.

They want to build a strong province by building strong communities. By tackling the inherited deficit, your new government will strengthen the foundation for the Growing Strong Communities plan, including better public transit and more affordable housing.

Ontarians want a government that works for them.

Your new government has made a commitment to bring an open, honest and transparent approach to government.

It is keeping that commitment.

In this session, it will introduce the most ambitious democratic renewal legislation ever seen in Ontario.



It will open up government and its agencies, bring the voices of Ontarians to Queen's Park, and make the entire public sector more transparent and responsible to Ontarians, because transparency and accountability are the best safeguards of public services.

Already, this new government has appointed a new minister for democratic renewal.

It has given every government MPP a role on the powerful cabinet committees that help guide government policy.

In the months ahead, this new government will give all members an opportunity to do more on behalf of their constituents.

All ministers of the crown will be expected to consistently attend question period, and be accountable to the Legislature.

The spring budget will be held in this chamber. Every budget will. And every budget will reflect what Ontarians have told this new government they want done.

We have the best-informed citizenry in the history of this province. Your new government is going to call upon Ontarians to share their ideas, to describe how government can work better for them.

Ontario is fortunate to have a hard-working public service that is second to none. Your new government is going to call upon public servants to share their ideas on how we all can best serve the public.

Your new government will do what needs to be done.

It will tackle the \$5.6-billion deficit it has inherited—responsibly, but relentlessly.

It is clear-eyed but optimistic.

Votre nouveau gouvernement sait ce qu'il a à faire.

Il sera honnête avec la population et ne lui cachera pas les défis auxquels il fait face.

Il sera assez responsable pour relever ces défis, au lieu de les fuir, de les dissimuler ou de les transmettre à nos enfants et à nos petits-enfants.

Il travaillera aussi fort que les citoyennes et citoyens qu'il a le privilège de servir.

Il fera preuve de créativité et assainira les finances de la province d'une façon compatible avec les valeurs de la population.

Votre nouveau gouvernement remplira son mandat afin d'offrir des changements réels et positifs à la population de l'Ontario.

Your new government understands its job.

It will be honest with Ontarians, giving them the straight goods on the challenges we all face.

It will be responsible enough to tackle those challenges, instead of running away from them, or hiding them, or passing them on to our children and grandchildren.

It will work as hard as the people it is privileged to serve.

It will be innovative, fixing our finances in a way that's in keeping with Ontarians' values.

Your new government will get the job done, so it can deliver real, positive change for the people of Ontario.

In this historic chamber, in the woodwork that adorns the government side of the House, an artisan has carved three words.

They are: integrity, industry, and intelligence.

As we begin to write a new chapter for Ontario, let us be mindful of them.

Your new government believes strongly:

We can have excellence for all in public education.

We can deliver the health care we need.

We can grow strong communities.

We can change how government works.

We can build a prosperous economy, in which every Ontarian can reach his or her full potential...

If we have the integrity to tell people the truth about the challenges we face.

If we are industrious enough to work as hard as the people we are privileged to serve.

If we are intelligent enough to realize that we can only lead the people of Ontario by listening to the people of Ontario...

Then, together, we can make Ontario the envy of the world, once again.

Let's get to work.

*Singing of O Canada!*

*His Honour was then pleased to retire.*

1540

*Prayers.*

**The Speaker (Hon Alvin Curling):** I beg to inform the House that, to prevent mistakes, I have obtained a copy of the speech from the throne, which I will now read.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** Dispense.

**Interjections:** No.

**The Speaker:** Agreed?

**Interjection:** No.

**The Speaker:** Mr Speaker, members of the Legislative Assembly, citizens of Ontario:

Canada—dispense?

**Interjection:** No.

**The Speaker:** Canada lists among its hallmarks peace, order and good government.

Ontario has a parliamentary tradition that allows for a peaceful and orderly transition from an old government to a new one.

Following the recent election, I asked Dalton McGuinty to form the government of Ontario.

I then presided over the swearing-in of the new Premier and the executive council.

**Hon Mr Duncan:** On a point of order, Mr Speaker: All the members have certain guests here, and I know we on this side are looking forward to hearing the speech again, but perhaps it would be in order to have a five-minute recess to allow our guests, many of whom I'm sure didn't plan to be here the additional time, to leave the chamber. Would that be agreeable to the House?

**The Speaker:** Is there consent? Agreed.

*The House recessed from 1545 to 1551.*

**The Speaker:** There have been those who would dismiss our values as out of date—but these values have proven timeless.

Ontarians can do anything, when they work, and dream, and build together.

What they ask of their government is honesty, responsibility, hard work, innovation, and a genuine commitment to the future.

Your new government is honest enough to tell you about the challenges we face.

So here are the facts: Ontario faces a major problem, one that stands in the way of a better future for all of us.

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Your new government will take this challenge on, working with you.

It will not paper over this problem with money it does not have.

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And it will never sit on its hands and do nothing.

If it did nothing, the \$5.6-billion inherited deficit would grow to \$7.7 billion next year, and nearly \$8.6 billion in 2007.

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**Interjection:** Dispense.

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and the true state of Ontario's finances—while giving Ontarians an incentive to conserve.

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But the job will not be done, and it can only be completed with the help of millions of Ontarians.

The new year will see this new government engage Ontarians in a new dialogue.

Your new government will ask Ontarians to help write next spring's budget, by putting before them the real choices facing this province.

It will put before the public ideas that are big and bold and even controversial.

Ontarians understand that you cannot tackle a big problem by tinkering around its edges, and you can't deliver real, positive change by doing things the same, old way.

We need to change how government works so it works for Ontarians in a way that's responsible, affordable, and sustainable.

This is not exactly the job your new government applied for, but it is the job it has been given to do.

And it will get the job done.

It will get the job done because it's the right thing to do: This year's deficit alone would cost Ontarians an additional \$280 million in additional interest payments.

By the end of year four of this mandate, that number would grow to \$1.1 billion—enough to pay for 15,000 nurses, 16,000 teachers, or 1,000 MRIs.

Your new government will get the job done so that it can provide more nurses, teachers, and MRIs for Ontario families—instead of additional interest payments for Ontario's creditors.

**1600**

Your new government remains determined to deliver real, positive change by improving the public services Ontarians depend on.

It is equally resolute that it must first secure the fiscal foundation upon which those services are built.

It is a foundation we must secure together, in the public interest.

Your new government will ask its partners in health care, education, and the broader public sector to temper their requests for more with the realization that what we have now is at risk.

If Ontarians work together in a responsible way, we can build an even brighter future tomorrow.

Your new government knows we can only achieve great things when we work and dream and build together, for a change.

And it is confident that Ontarians will respond to the challenge before us.

This challenge will affect the pace of change.

But your new government will make change happen.

That change has already started, and it will continue in this session of the Legislature.

These changes will be affordable, gradual and practical.

They will make a real, positive difference in the lives of Ontarians.

They will reflect Ontarians' values and Ontarians' priorities.

Your new government's first and most important priority will always be excellence in public education.

Its goal is to make Ontario's public education the world's best education.

The groundwork for this shared accomplishment will be set in this session.

Your new government will keep its commitment to introduce legislation designed to cancel the reckless private school tax credit that drains dollars and hope away from better public education.

It will keep its commitment to bring stability and peace to a system that has been racked by turmoil for too long.

It proposes to form a genuine education partnership with this province's school boards, principals, teachers, the wider community and, most important, parents and students.

Your new government will work with schools to make real improvements in children's reading, writing and math skills.

It will keep its commitment to make our schools safer.

School councils will be invited to conduct safety audits to evaluate their need for enhancements such as security cameras at school entrances to keep out intruders.

A provincial anti-bullying hotline will be established and anti-bullying programs developed at all schools.

Communities will be asked to help define citizenship values for Ontario's new character education program in their local school boards to strengthen our students' education experience.

Your new government will treat educators with the respect they deserve as the single most important influence, apart from family, in terms of shaping the future of our children and our province.

The Premier will institute the Premier's Awards for Teaching Excellence to celebrate exceptional teachers and the work they do for their students.

New programs to ensure teaching excellence, designed in co-operation with a revitalized Ontario College of Teachers, will replace the expensive and unproductive teacher testing program.

The path to a better society, and a more prosperous economy, runs through our public schools.

Your new government believes that, for too long, that path has been strewn with conflict, cuts, and chaos.

It's time to begin to build a new path, with co-operation, creativity and a genuine commitment to what's best for our children.

By tackling the inherited deficit, your new government will strengthen the foundation for its Excellence for All Education plan, including smaller class sizes in the early grades, learning until age 18, and its Best Start plan for early childhood education.

Ontario's commitment to public education is a measure of our foresight.



Our commitment to medicare is a measure of our insight.

Ontarians understand that we are all made stronger by our system of universal, public medicare.

Ontarians want to be competitive—and compassionate.

Medicare makes us both.

The Romanow Commission confirmed that Canadians do not want one system for the wealthy, who can buy their way to the front of the line, and another for everyone else, who would be forced to wait at the back of it.

In fact, your new government will be entering into new agreements for publicly owned hospitals in Brampton and Ottawa. This will ensure that these facilities are not privately owned.

It will keep its commitment to introduce the Commitment to the Future of Medicare Act.

If passed, it will protect and improve universal, public medicare for all Ontarians by making two-tier, pay-your-way-to-the-front-of-the-line health care illegal in Ontario.

If passed, it will enshrine in provincial law the five principles of medicare: universality, portability, comprehensiveness, public administration, and accessibility.

And it will add a sixth principle: accountability.

If a health care dollar is wasted, a patient waits. If a health care dollar is spent wisely, a patient benefits.

Legislation will also be introduced to keep this government's commitment to give the Provincial Auditor new powers to examine how public funds are spent by transfer partners in education and health care, including hospitals and other health care organizations.

Your new government will propose changes to give the chief medical officer of health the independence required to protect Ontarians.

New legislation will be introduced to create a new health quality council.

This independent council will report directly to Ontarians on how well their health care system is working—and how well their government is working to improve health care.

Your new government understands it can only hold others to a higher standard if it subjects itself to the same standard.

It is keeping its commitment to work with other governments to create a national health council.

It is keeping its commitment to work co-operatively with the federal government on health care, in the interests of Ontarians.

Already, this new approach is finding success. There is more money coming for health care. And the federal government committed this week to cover half of the true health care costs associated with SARS. This is welcome news, but there is much more to do, and your new government will continue to work with Ottawa to fix health care, instead of merely affixing blame.

Your new government understands that money alone will not save medicare. Nor will legislation alone. Real, positive reform is needed, starting with primary health care.

It will keep its commitment to improve primary care through the creation of family health teams, made up of health care professionals who will protect and promote the health of Ontarians.

These teams will ensure patients get care closer to home and health care dollars are spent wisely.

Your new government understands that promoting good health is as important as treating illness.

It will make cigarettes more expensive to prevent young people from lighting up, and it will make public and work places in Ontario smoke-free within three years.

**Interjection:** Dispense.

**The Speaker:** Dispense?

**Interjection:** No.

**The Speaker:** Like public education, medicare is at a crossroads. Ontarians have told your new government which direction they want chosen—the one that protects and improves universal medicare.

By tackling the inherited deficit, your new government will strengthen the foundation for the Health Care We Need plan, including more family doctors, nurses, and hospital beds.

Ontario's economy is strong and vibrant, but it faces challenges from beyond our borders, and a threat from within.

Other jurisdictions are working hard to invest in building workforces that can attract the most investment and the best jobs.

Ironically, the province's own finances threaten to hold back our economy, by draining more dollars into servicing our debt, and limiting our ability to improve our workforce, and our prosperity.

**1610**

Ontario's colleges, universities, and skills training programs are critical to creating prosperity.

Your new government will put in place a long-term plan that ensures the quality and accessibility of higher education for generations to come.

While that plan is put in place, tuition fees will be frozen for two years.

Your new government believes our province's diversity is a tremendous source of strength.

It will work with the federal government to finalize immigration and labour market development agreements that build on this strength.

It will keep its commitment to ensure that highly qualified, internationally trained tradespeople and professionals can work in their chosen field, here in their chosen province.

Your new government will celebrate the hard-working entrepreneurs who create jobs and attract investment, and support their endeavours here at home and abroad.

It will work to support and protect our hard-working farmers, and promote their products by promoting food safety.

It will take the necessary steps to assure Ontarians their meat is safe.

Your new government will do its part to ensure all of our businesses can operate in a stable climate, by delivering reliable, affordable electricity.

It will begin to bring new supply on-line, and pave the way for new electricity generation, by introducing a new, responsible plan for electricity pricing.

It will give Ontario businesses and families the information and tools they need to conserve electricity—and save money.

Trade with other provinces and other countries, particularly the United States, is our lifeblood. Our economy depends on it.

Your new government has already begun talks with other provinces, aimed at breaking down interprovincial trade barriers. And it will work with the federal and US state governments to ensure our borders are safe, efficient, and open to trade.

A commitment was made to help hard-working families make ends meet before they reach their wits' end. This commitment will be kept.

For the first time in eight years, there will be an increase in the minimum wage.

Legislation will be introduced to end the 60-hour workweek.

And action will be taken on auto insurance.

Your new government has already acted to stop new applications for rate hikes, and will now work to bring rates down.

Your new government understands that for Ontario to succeed in a highly competitive and global economy, we need every Ontarian, from our youngest citizens to our seniors, at their best.

Your new government will keep its commitment to treat seniors with respect and dignity. Its first step will be to set high standards for nursing homes.

Your new government will work with Ontarians with disabilities on meaningful legislation that will allow them to fully participate in building a stronger province.

The strength of our province depends, too, on the strength of our communities.

Yet our communities are not all they can be.

Ontarians want cleaner air, their water protected, and their green space preserved.

They want their communities to be more livable, safer, stronger.

Your new government will strengthen our communities and work with other governments to create a new deal for cities.

It will keep its commitment to introduce legislation that will establish a permanent greenbelt across the Golden Horseshoe, and a new commission to protect it.

It will introduce legislation to establish a Greater Toronto Transportation Authority, which will improve public transit, reduce gridlock, and improve the air we breathe.

Your new government will keep its commitment to ban the disposal of untreated toxic sludge.

It will keep its commitment to stop the practice of giving away our precious fresh water resources.

It will keep its commitment to implement the O'Connor recommendations, starting with the hiring of more water inspectors and stronger protection of our drinking water at source.

Shortly, your new government will take the first steps toward replacing our biggest polluters by phasing out Ontario coal-fired electricity generating plants.

Communities will be encouraged to grow smart.

Your new government will introduce legislation that will give the Ontario Municipal Board a new direction—one that encourages sustainable growth instead of sprawl.

It will keep its commitment to intensify growth within our cities by rehabilitating brownfields.

Your new government will make our communities safer.

More will be done to protect women and children from domestic violence, including improvements in the provision of second-stage housing for victims.

Your new government will work with the federal government to amend the Criminal Code to make it more difficult for accused abusers to make bail.

It will work with the police to develop risk assessments for those accused of domestic violence.

Deadbeat parents who fail to support their children will be held to their family responsibilities.

New measures will be put in place to ensure children get what they need and what they are owed.

Pregnant women on social assistance will get the nutritional supplements they need.

Your new government will introduce legislation to protect tenants with real rent control.

This government congratulates the newly elected municipal leaders across Ontario and invites them to work with this government, as partners.

It will keep its commitment to introduce legislation that ensures a strong voice for the north, by keeping 11 northern representatives in this chamber.

Your new government will create northern development councils as a direct link from northern communities to the Minister of Northern Development and Mines.

One of the first issues to be examined by these councils will be how to best encourage young northern Ontarians to stay in northern Ontario.

This new government's commitment to govern for all Ontarians—those from cities and towns, from north and south—will be kept.

Ontarians have said they do not want their province divided by region or area code.

They want to build a strong province by building strong communities. By tackling the inherited deficit, your new government will strengthen the foundation for the Growing Strong Communities plan, including better public transit and more affordable housing.

Ontarians want a government that works for them.

Your new government has made a commitment to bring an open, honest and transparent approach to government.

It is keeping that commitment.



In this session, it will introduce the most ambitious democratic renewal legislation ever seen in Ontario.

It will open up government and its agencies, bring the voices of Ontarians to Queen's Park, and make the entire public sector more transparent and responsible to Ontarians, because transparency and accountability are the best safeguards of public services.

Already, this new government has appointed a new minister for democratic renewal.

It has given every government MPP a role on the powerful cabinet committees that help guide government policy.

In the months ahead, this new government will give all members an opportunity to do more on behalf of their constituents.

All ministers of the crown will be expected to consistently attend question period, and be accountable to the Legislature.

The spring budget will be held in this chamber. Every budget will. And every budget will reflect what Ontarians have told this new government they want done.

We have the best-informed citizenry in the history of this province. Your new government is going to call upon Ontarians to share their ideas, to describe how government can work better for them.

Ontario is fortunate to have a hard-working public service that is second to none.

Your new government is going to call upon public servants to share their ideas on how we all can best serve the public.

Your new government will do what needs to be done.

It will tackle the \$5.6-billion deficit it has inherited—responsibly, but relentlessly.

It is clear-eyed but optimistic.

In this historic chamber, in the woodwork that adorns the government side of the House, an artisan has carved three words.

They are: integrity, industry, and intelligence.

As we begin to write a new chapter for Ontario, let us be mindful of them.

Your new government believes strongly:

We can have excellence for all in public education.

We can deliver the health care we need.

We can grow strong communities.

We can change how government works.

We can build a prosperous economy, in which every Ontarian can reach his or her full potential ...

If we have the integrity to tell people the truth about the challenges we face.

If we are industrious enough to work as hard as the people we are privileged to serve.

If we are intelligent enough to realize that we can only lead the people of Ontario by listening to the people of Ontario...

Then, together, we can make Ontario the envy of the world, once again.

Let's get to work.

## INTRODUCTION OF BILLS

### AN ACT TO PERPETUATE AN ANCIENT PARLIAMENTARY RIGHT LOI VISANT À PERPÉTUER UN ANCIEN DROIT PARLEMENTAIRE

Mr Duncan, on behalf of Mr McGuinty, moved first reading of the following bill:

Bill 1, An Act to perpetuate an Ancient Parliamentary Right / Projet de loi 1, Loi visant à perpétuer un ancien droit parlementaire.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry?

All in favour, say "aye."

Those against, say "nay."

I think the ayes have it.

Call in the members. There will be a five-minute bell.

*The division bells rang from 1623 to 1628.*

**The Speaker:** I would ask that those who are in favour of the motion please rise one at a time.

#### Ayes

Agostino, Dominic	Flynn, Kevin Daniel	Ouellette, Jerry J.
Arthurs, Wayne	Fonseca, Peter	Parsons, Ernie
Baird, John R.	Gerretsen, John	Patten, Richard
Bartolucci, Rick	Gravelle, Michael	Peters, Steve
Bentley, Christopher	Hoy, Pat	Peterson, Tim
Berardinetti, Lorenzo	Jeffrey, Linda	Phillips, Gerry
Bisson, Gilles	Kennedy, Gerard	Pupatello, Sandra
Bountrogianni, Marie	Kormos, Peter	Qaadri, Shafiq
Bradley, James J.	Kular, Kuldip	Racco, Mario G.
Brown, Laurel C.	Kwinter, Monte	Ramal, Khalil
Brown, Michael A.	Lalonde, Jean-Marc	Ramsay, David
Brownell, Jim	Leal, Jeff	Rinaldi, Lou
Bryant, Michael	Levac, Dave	Runciman, Robert W.
Cansfield, Donna H.	Marchese, Rosario	Ruprecht, Tony
Caplan, David	Marsales, Judy	Sandals, Liz
Chambers, Mary Anne V.	Martel, Shelley	Sergio, Mario
Churley, Marilyn	Matthews, Deborah	Smith, Monique
Colle, Mike	Mauro, Bill	Smitherman, George
Cordiano, Joseph	McMeekin, Ted	Sorbara, Gregory S.
Craiton, Kim	McNeely, Phil	Van Bommel, Maria
Delaney, Bob	Meilleur, Madeleine	Wilkinson, John
Di Cocco, Caroline	Millroy, John	Witmer, Elizabeth
Dombrowsky, Leona	Mitchell, Carol	Wong, Tony C.
Duguid, Brad	Mossop, Jennifer F.	Wynne, Kathleen O.
Duncan, Dwight	Murdoch, Bill	Zimmer, David
Dunlop, Garfield	Oraziotti, David	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 77; the nays are 0.

**The Speaker:** I declare the motion carried.

## MOTIONS

### THRONE SPEECH DEBATE

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I move that the speech of His Honour the Lieutenant Governor to this House be taken into consideration Monday, November 24, 2003.



**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I am not suggesting that this required notice. I am conceding that it is but a procedural motion, not a substantive one. However, I am suggesting that it warrants debate. If you will take a look, sir, at the standing orders, in particular 45(d), I point out that a motion for adjournment of debate—

**The Speaker (Hon Alvin Curling):** —that this is debatable.

**Mr Kormos:** May I?

**The Speaker:** Yes.

**Mr Kormos:** Yes, it is debatable. I point out to you, sir, that this is a debatable motion.

**Interjections:** Agreed.

**Mr Kormos:** Good. OK.

**Hon Mr Duncan:** Speaker, I am going to debate on behalf of the government caucus.

*Applause.*

**Hon Mr Duncan:** Yes, it's nice for a change. We won one tonight.

Mr Speaker, this motion allows the House to begin to consider the government's speech from the throne next Monday, allowing all members of the House to participate in a fair and equitable fashion, which we are providing for. With that, I move adjournment of the debate.

**The Speaker:** Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those against, say "nay."

I think the ayes have got it.

Call in the members. There will be a 30-minute bell.

*The division bells rang from 1633 to 1703.*

**The Speaker:** Would all the members who are in favour of this motion please rise and remain standing.

Thank you. Please be seated.

All those who are against will please rise and remain standing.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 73; the nays are 5.

**The Speaker:** The motion is carried.

**Hon Mr Duncan:** I move adjournment of the House.

**The Speaker:** Are you in favour of the adjournment of the House?

All those in favour, say "aye."

Those against, say "nay."

I think the ayes have it.

Call in the members. This will be a 30-minute bell.

*Division bells rang from 1706 to 1736.*

**The Speaker:** Will all the members please take their seats.

All members in favour of the motion, please rise and remain standing.

Please be seated.

All those who are against the motion—

*Interjections.*

**The Speaker:** Order. All those against, please rise and remain standing.

**Clerk of the House:** The ayes are 68; the nays are 5.

**The Speaker:** I declare the motion carried.

This House stands adjourned until 1:30 on Monday.

*The House adjourned at 1738.*



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**Assemblée législative  
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**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 24 November 2003**

**Lundi 24 novembre 2003**



**Speaker**  
Honourable Alvin Curling

**Président**  
L'honorable Alvin Curling

**Clerk**  
Claude L. DesRosiers

**Greffier**  
Claude L. DesRosiers

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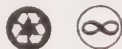
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 24 November 2003

*The House met at 1330.  
Prayers.*

### LEADER OF THE OPPOSITION

**The Speaker (Hon Alvin Curling):** I beg to inform the House that Mr Eves, the member for the electoral district of Dufferin-Peel-Wellington-Grey, is recognized as the leader of Her Majesty's loyal opposition.

### MEMBERS' ROLL

**The Speaker (Hon Alvin Curling):** I beg to inform the House that the Clerk has laid upon the table the roll of members elected in the general election of 2003.

### MEMBERS' STATEMENTS

#### LIBERAL CAMPAIGN PROMISES

**Mr Garfield Dunlop (Simcoe North):** Excuses and broken promises. I was shocked this past week when I heard comments from the Minister of Municipal Affairs. When asked why this government was breaking yet another one of their campaign promises, he responded, "Perhaps we were too naive." For the Liberal government to simply plead ignorance as an excuse for not living up to lofty campaign promises is simply unacceptable.

Let's look for a minute at the Liberal promise to balance the provincial budget. One of Mr McGuinty's first actions after being elected was to hire a consultant—

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. May I ask that the member make his statement so you can all hear.

**Mr Dunlop:** —with limited terms of reference in order to try to convince Ontarians that balancing the 2003-04 budget could not be done.

Well, Mr McGuinty's blame-game deficit does not hold water with Ontario taxpayers. Based on our government's balanced budget plan and what the Premier has promised as part of his fiscal agenda, the Liberal government could run as much as a \$3.5-billion surplus. All the Premier and the Minister of Finance have to do is start showing up for work and accepting the responsibility entrusted to them by the voters of Ontario.

Come clean, Mr McGuinty. You could balance the budget if you had the political will. It can be done. But of course it is always easier for a Liberal to break their word

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 24 novembre 2003

to Ontarians than to show up for work and make tough decisions. Perhaps we shouldn't be surprised that the mantra of the government is excuses, broken promises and tax hikes.

### GOVERNMENT'S AGENDA

**Mr Khalil Ramal (London-Fanshawe):** Mr Speaker, I would like to congratulate you on your election. I am sure you will preside over this House with fairness and impartiality.

The people of Ontario wanted a change. As the first Liberal member ever elected to represent the riding of London-Fanshawe, I am proud to be a part of that change. It's my privilege to serve the people of London-Fanshawe, and I will do this to the very best of my ability.

A society can only be judged by how it treats its most vulnerable members. I am proud to represent a party that is committed to bettering the lives of all Ontarians and that recognizes the government's responsibility to protect those who are most vulnerable, including children and the economically disadvantaged. The Liberal government of Premier McGuinty is committed to accessible public health care, an improved education system in this province, fairer taxation, and to working with people rather than against them.

The commitments that Premier McGuinty and our Liberal government have made will serve my constituents of London-Fanshawe well, as they will everyone in this province. I'm proud to be part of this government.

#### LIBERAL CAMPAIGN PROMISES

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** Excuses, broken promises and tax hikes: This is what Ontarians can expect from this Liberal government.

In the eight weeks since this government was elected, they have shattered the record book when it comes to breaking promises. Since October 2, all we have heard from the Liberals is, "Balancing the budget is too hard," or "Perhaps we were too naive," or, my personal favourite, "This is not the job we signed up for."

Let's be clear: Being the government is not easy. It requires strong political will and the ability to make difficult decisions, something we haven't seen in the first few weeks of this government.

Mr McGuinty claimed throughout the campaign that he had \$3 billion of savings in his financial plan. Where

has the money gone? The Minister of Finance has also said that he's going to introduce Liberal tax hikes that will result in half a billion dollars of revenue this year. Where will this money be spent?

Mr McGuinty recently announced that he had sold out to his federal cousins by accepting \$300 million in SARS relief. This is much less—

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. I'm having difficulty hearing the member from Kitchener-Waterloo. She has a right to make her statement. Please allow her to do that.

**Mrs Witmer:** I was talking about SARS relief and selling out to the federal cousins. The \$300 million is far less than the \$500 million offered to our previous health minister. Perhaps Mr McGuinty should stand up to his federal friends on behalf of all Ontarians.

Come on, Premier: no more excuses. Get to work, roll up your sleeves and balance the budget. We demonstrated that it could and can be done.

**The Speaker:** I will recognize an independent, as someone requested earlier on, but I will rotate first and recognize someone from the government side now.

*Interjections.*

**The Speaker:** Order. It's the government side in the rotation.

1340

#### CHILDREN'S HOSPITAL OF EASTERN ONTARIO

#### CENTRE HOSPITALIER POUR ENFANTS DE L'EST DE L'ONTARIO

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** It is both a pleasure and privilege for me to stand before the Legislature today and speak about our government's commitment of keeping the Children's Hospital of Eastern Ontario's pediatric services open. During the election campaign our Premier, Dalton McGuinty, vowed to keep the unit in Ottawa and he has kept that commitment. In the wake of the Tory government's decision last year to consider moving the cardiac surgery program to Toronto, several well-known cardiologists left, based on this threat over CHEO's future. Now I am pleased to see the hiring of 15 additional doctors, a new group of pediatric experts, at CHEO. I wish to commend CHEO's chief of staff and everyone responsible for recruiting highly qualified physicians once again at CHEO.

Je suis fier de la communauté de l'est de l'Ontario qui s'est ralliée en faveur de CHEO. L'appui aux services de chirurgie cardiaque de l'Hôpital pour enfants de l'est de l'Ontario et les imposantes manifestations en sa faveur furent des preuves tangibles de l'attachement de la population envers son hôpital pour enfants.

I was touched by the support at the CHEO rally that we had in Casselman last year. Its success was reflected

by the presence of a well-known strong supporter for our children, Max Keeping from CJOH.

En terminant, j'aimerais réitérer l'engagement de tous nos députés, de notre gouvernement, à garder ce service unique dans l'est de l'Ontario.

#### LIBERAL CAMPAIGN PROMISES

**Mr Norm Miller (Parry Sound-Muskoka):** With the holiday season fast approaching, Ontarians can expect a big lump of coal in their stockings in the form of the largest tax hike in the history of our province. Despite the Liberal promise to hold the line on taxes, the Minister of Finance will be introducing billions of dollars in tax hikes in the coming days, at the risk of causing a faltering economy, lost jobs and less money in the wallets of taxpayers.

Ontarians are asking, "Why would the Liberal government do this?" Well, the answer is simple. The Liberals think tax hikes are some sort of magic bean that will make all of their problems go away. They don't want to make the tough decisions that are necessary to balance the provincial books, so they're going to try and buy their way out of debt by hiking taxes, hiking hydro rates and breaking the 200-plus promises they made during the recent election.

We know the budget can be balanced, but the Liberal government won't admit that. Their blame-game deficit provides a convenient excuse to break their promises and to hike taxes. Balancing the budget takes commitment and the political will to make tough decisions, two traits this government appears to be lacking. Instead of whining, pointing fingers and selling out to their federal counterparts, the Premier and the Minister of Finance need to start taking responsibility for their actions, roll up their sleeves and get to work.

The Liberals say they are about change. Well, it's time for Mr McGuinty to change his tune and start standing up for Ontarians. Come on, Dalton. Balance the budget this year. It can be done. Ontarians don't want any more of your excuses.

#### MUNICIPAL ELECTIONS

**Mr Brad Duguid (Scarborough Centre):** Let me say, on behalf of the people of Scarborough, that the Speaker's chair has never looked better, and we're all very proud of you.

I'm pleased to rise today to express my congratulations to all those who were elected and to all those who were re-elected in the recent municipal elections on November 10. This is an exciting and challenging time for municipal representatives across this province and certainly in my home city of Toronto.

I wish our newly elected mayor, David Miller, and his new Toronto council well in meeting their considerable challenges facing our city today. In particular I congratulate Glenn De Baeremaeker, who will be taking my place in ward 38, and Michael Thompson, who will be



taking our colleague Lorenzo Berardinetti's place in ward 37, in my riding of Scarborough Centre. They're both very capable, hard-working individuals and I'm sure they'll do an excellent job.

As we enter a new era of federal, provincial and municipal co-operation, I look forward to working closely with newly elected councillors De Baeremaeker, Thompson and all municipal representatives across the province in serving the needs of our local communities.

LIBERAL CAMPAIGN PROMISES

**Mr Ted Arnott (Waterloo-Wellington):** Mr Speaker, first of all, I want to congratulate you on your election to the chair.

Halloween may be over, but the Liberal government's tricks are still coming, as Ontarians are treated to a bagful of broken promises. First of these was the blame-game phony deficit. Key to the blame game is a little exercise we're calling "hide the revenue," a trick that would make any self-respecting accountant blush. The latest evidence: \$771 million in federal health money that must be paid out of federal coffers by the end of this fiscal year, yet these dollars are nowhere to be found in the finance minister's expected revenues this year. Why?

Perhaps they're being rolled into next year to pay for subsidized housing, an idea endorsed by the Minister of Public Infrastructure Renewal a few years ago. In 1999, Mr Caplan told the Guelph Mercury, and I quote: "The federal government has given the province \$895 million more than they need for health care. That could be used for housing. That's a big chunk of dough." Yes, \$771 million is a big chunk of dough. Ontarians deserve to know where it is and where it's going.

What about the proceeds of the Teranet sale? Even the Liberals realized this would generate significant revenue. That's why they talked about selling it during the election, until they realized it already had been sold. Teranet was sold for more than \$300 million, yet in the finance minister's books, nearly \$200 million of that revenue is missing. Where is this revenue totalling nearly \$1 billion, or perhaps it would be more precise to ask, where are these dollars going to be spent next year? Ontarians have the right to know. The new government must come clean.

HIGHWAY FUNDING

**Mr Bruce Crozier (Essex):** The joint transportation announcement made this past Friday by our government's Minister of Transportation and the federal Minister of Transport exemplifies a new era of co-operation between the provincial and federal governments. By working with his federal counterpart, our Minister of Transportation accomplished a great deal in the short period of time since being sworn in.

The six-laning of Highway 401 between Tilbury and Windsor in my riding of Essex has been a long time coming. This stretch of highway has required improve-

ments for some time, but apparently the previous government could not even reach an internal agreement about the projects, let alone come to an agreement with the federal government.

Because of the previous government's unwillingness to co-operate, Highway 401 users waited far too long for these necessary safety improvements to begin. Rather than simply blaming the federal government for all of our problems, Ontarians have signalled that they want the McGuinty government to work co-operatively with all levels of government.

The announcement made Friday shows us all what can be accomplished when two governments put aside the bickering and finger pointing and work together for a common goal. The residents of my riding will soon see the benefits of this new relationship, and I am confident that this past Friday's announcement is just the first of many to come.

LIBERAL CAMPAIGN PROMISES

**Mr Robert W. Runciman (Leeds-Grenville):** I too rise today to address the Liberals' bogus deficit—their justification for breaking promises; this government's unwillingness to face the facts and its blatant refusal to do any work on behalf of Ontarians. I want to quote an excerpt from the Toronto Star: "We have until Christmas to demonize the Tories. After that, we can't do it any more." That was a statement made by a Liberal insider to the press.

I'd like to submit to you, Mr Speaker, that since the government has taken office, that has been its primary goal, to demonize the former government, not to get on with the job. Last summer, the then Liberal finance critic announced in committee that his party was under the impression that there was a \$5-billion deficit. That was in June.

In September, the first act of this new Premier was to hire a private consultant at \$1,500 a day, instead of using the acting Provincial Auditor. He did this so he could tell him that if his government did nothing over the remaining six months of the fiscal year, there would indeed be a deficit of some \$5 billion, something they claimed they already knew.

I submit to you, Mr Speaker, that the actions of this government have been nothing more than a cynical ploy to attempt to demonize the past administration. Someone needs to inform the Premier that he needs to stop acting like an opposition member and get on with the work in the best interests of the people of Ontario.

**Mr Gilles Bisson (Timmins-James Bay):** I stand here as a New Democrat to say a couple of things in regard to what this government has done in its recent election. I remember sitting here with them in opposition, and I remember the debate of the Liberals when they sat on this side of the House—

*Interjection.*

**Mr Bisson:** Well, not with them, but we were at least on the same side of the House. I remember some of the

things that they talked about. For example, I remember their position on hydro. In the last election, if I closed my eyes and I listened, I would sometimes think they were campaigning as New Democrats. What did they say during the election? That they were going to keep the rate cap in place.

*Interjection.*

**Mr Bisson:** Duncan, you'll get your chance; don't worry, we'll bring it to you. But what ends up in the end? During the election the Liberals said, "We're going to keep the rate cap in place." What have they done since? The rate cap is going to be gone. Our hydro bills are going to go through the roof, because this Liberal administration broke one of the fundamental promises in their campaign document and they're taking the rate cap off.

But it's not finished there. They say, "We don't believe in privatization," depending on what day of the week it is, because we know they flip-flopped so many times when they were Liberals, on this side of the House, that they at least have to keep their tradition when they go on the other side. We've got to hope that they flip-flop and reverse their position again. But the Liberals are now saying they're basically going to allow electricity prices to go to market conditions—a heck of a difference from what I heard the Liberals talk about when they were in opposition, to what I hear them talking about when they're government. It goes to prove that they campaign like New Democrats but they govern like Tories.

**Mr John R. Baird (Nepean-Carleton):** On a point of order, Mr Speaker: I'd like to ask for unanimous consent, on behalf of the Queen's Park press gallery, to adjourn for 15 minutes and allow the Premier to keep his commitment to have a 15-minute scrum right now.

**The Speaker:** I heard a no. Sorry.

## INTRODUCTION OF BILLS

### FISCAL RESPONSIBILITY ACT, 2003

#### LOI DE 2003 SUR LA GESTION RESPONSABLE DES FINANCES

Mr Sorbara moved first reading of the following bill:

Bill 2, An Act respecting fiscal responsibility / Projet de loi 2, Loi concernant la gestion responsable des finances.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that this motion carry?

All those in favour, say "aye."

All those against, say "nay."

I think the ayes have it.

Call in the members. This is a 5-minute bell.

*The division bells rang from 1353 to 1358.*

**The Speaker:** All those in favour of the motion, please rise one at a time.

## Ayes

Agostino, Dominic	Fonseca, Peter	Patten, Richard
Arthurs, Wayne	Gerretsen, John	Peters, Steve
Bartolucci, Rick	Gravelle, Michael	Peterson, Tim
Bentley, Christopher	Hoy, Pat	Phillips, Gerry
Berardinetti, Lorenzo	Jeffrey, Linda	Qaadri, Shafiq
Bountrogiani, Marie	Kennedy, Gerard	Ramal, Khalil
Brotten, Laurel C.	Kular, Kuldeep	Ramsay, David
Brown, Michael A.	Kwinter, Monte	Rinaldi, Lou
Brownell, Jim	Lalonde, Jean-Marc	Sandals, Liz
Bryant, Michael	Leal, Jeff	Sergio, Mario
Cansfield, Donna H.	Levac, Dave	Smith, Monique
Caplan, David	Marsales, Judy	Smitherman, George
Colle, Mike	Matthews, Deborah	Sorbara, Gregory S.
Cordiano, Joseph	Mauro, Bill	Takhar, Harinder S.
Craiton, Kim	McGuinty, Dalton	Van Bommel, Maria
Crozier, Bruce	McMeekin, Ted	Watson, Jim
Delaney, Bob	Meilleur, Madeleine	Wilkinson, John
Dhillon, Vic	Milloy, John	Wong, Tony C.
Di Cocco, Caroline	Mitchell, Carol	Wynne, Kathleen O.
Duguid, Brad	Mossop, Jennifer F.	Zimmer, David
Duncan, Dwight	Oraziotti, David	
Flynn, Kevin Daniel	Parsons, Ernie	

**The Speaker:** All those who oppose, please rise.

## Nays

Amott, Ted	Hardeman, Ernie	Ouellette, Jerry J.
Baird, John R.	Hudak, Tim	Prue, Michael
Barrett, Toby	Jackson, Cameron	Runciman, Robert W.
Bisson, Gilles	Klees, Frank	Scott, Laurie
Chudleigh, Ted	Kormos, Peter	Sterling, Norman W.
Churley, Marilyn	Martiniuk, Gerry	Tascona, Joseph N.
Dunlop, Garfield	Miller, Norm	Witmer, Elizabeth
Eves, Ernie	Munro, Julia	Yakubski, John
Flaherty, Jim	Murdoch, Bill	
Hampton, Howard	O'Toole, John	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 64; the nays are 28.

**The Speaker:** I declare the motion carried. Mr Sorbara?

**Hon Gregory S. Sorbara (Minister of Finance):** It's an honour to introduce our government's second piece of legislation, the Fiscal Responsibility Act, 2003. It's an important step toward keeping our core commitment to get the province's financial house back in order. We made that commitment because it's the foundation of everything else that Ontarians want us to do. That includes excellence in public education, improving our health care system, strengthening our communities and, obviously, creating a more prosperous economy.

Bill 2 speaks to what is the most important job of our government: strengthening the foundation for change. It is a significant piece of legislation and a large step toward fiscal responsibility in this province.

### ANAPHYLACTIC STUDENTS PROTECTION ACT, 2003

#### LOI DE 2003 SUR LA PROTECTION DES ÉLÈVES ANAPHYLACTIQUES

Mr Levac moved first reading of the following bill:

Bill 3, An Act to protect anaphylactic students / Loi visant à protéger les élèves anaphylactiques.



**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry?

All those in favour, say “aye.”

All those against, say “nay.”

I think the ayes have got it. Call in the members; a five-minute bell.

*The division bells rang from 1404 to 1409.*

**The Speaker (Hon Alvin Curling):** All those who are in favour of this bill, please rise.

**Ayes**

Agostino, Dominic	Fonseca, Peter	Oraziotti, David
Amott, Ted	Gerretsen, John	Ouellette, Jerry J.
Arthurs, Wayne	Gravelle, Michael	Parsons, Ernie
Baird, John R.	Hampton, Howard	Patten, Richard
Barrett, Toby	Hardeman, Ernie	Peters, Steve
Bartolucci, Rick	Hoy, Pat	Peterson, Tim
Bentley, Christopher	Hudak, Tim	Phillips, Gerry
Berardinetti, Lorenzo	Jackson, Cameron	Prue, Michael
Bisson, Gilles	Jeffrey, Linda	Qaadri, Shafiq
Bountrogianni, Marie	Kennedy, Gerard	Ramal, Khalil
Bradley, James J.	Klees, Frank	Ramsay, David
Broten, Laurel C.	Kormos, Peter	Rinaldi, Lou
Brown, Michael A.	Kular, Kuldip	Runciman, Robert W.
Brownell, Jim	Kwinter, Monte	Sandals, Liz
Bryant, Michael	Lalonde, Jean-Marc	Scott, Laurie
Cansfield, Donna H.	Leal, Jeff	Smith, Monique
Caplan, David	Levac, Dave	Smitherman, George
Chudleigh, Ted	Marsales, Judy	Sorbara, Gregory S.
Churley, Marilyn	Martiniuk, Gerry	Sterling, Norman W.
Colle, Mike	Matthews, Deborah	Takhar, Harinder S.
Cordiano, Joseph	Mauro, Bill	Tascona, Joseph N.
Craitor, Kim	McGuinty, Dalton	Van Bommel, Maria
Crozier, Bruce	McMeekin, Ted	Watson, Jim
Delaney, Bob	Meilleur, Madeleine	Wilkinson, John
Dhillon, Vic	Miller, Norm	Witmer, Elizabeth
Di Cocco, Caroline	Milloy, John	Wong, Tony C.
Duguid, Brad	Mitchell, Carol	Wynne, Kathleen O.
Duncan, Dwight	Mossop, Jennifer F.	Yakabuski, John
Dunlop, Garfield	Munro, Julia	Zimmer, David
Flaherty, Jim	Murdoch, Bill	
Flynn, Kevin Daniel	O'Toole, John	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 91; the nays are 0.

**The Speaker:** I declare the motion carried.

**Mr Dave Levac (Brant):** I appreciate the House's confidence in this bill. The bill requires that every school principal establish a school anaphylactic plan. The plan would, among other things, develop and maintain strategies to reduce the risk of exposure that could result in anaphylactic shock at the school, communicate information about life-threatening allergies, arrange for training, develop emergency procedures for each anaphylactic student, and maintain current information on file. With consent, school staff could administer or supervise the administration of medication that is required to be taken during the school day to save a life. In the event of an emergency involving an anaphylactic student, school staff would be permitted to administer medication without consent. No action for damages resulting from administering medication would be permitted unless the damages were as a result of gross negligence.

This could save a life.

**SMOKING IN OPPOSITION LOBBY**

**Mr Robert W. Runciman (Leeds-Grenville):** On a point of privilege arising from today's proceedings, Mr Speaker: Last week we heard some lofty words in the throne speech respecting the dangers of second-hand smoke and cigarette smoking. We have heard other comments today with respect to the increase in the tobacco tax to 74%. I would ask you, Mr Speaker, to look into an incident that occurred in the official opposition lobby today when a member of the executive council—

**Mr John R. Baird (Nepean-Carleton):** Name the member.

**Mr Runciman:** —the member for Don Valley East, I believe—came into the opposition lobby smoking, was asked by members of staff to leave the premises and refused to do so. I think that is an affront to all of us and certainly a contradiction of the very lofty statements made by the government. Let's hope they're not hollow words.

**The Speaker (Hon Alvin Curling):** Thank you very much for raising the point. I hope the members have heard that and adhere to the policy of the Legislature.

**Mr Peter Kormos (Niagara Centre):** On the same point, Mr Speaker: I implore you to be firm with members about their flagrant violation of the rules around this place. I'm sure I speak for many people who are in recovery and have quit that filthy habit and find the presence of smokers and their smoke to be dangerous, not only to my own health but to the health of—

**The Speaker:** Thank you very much. I'm sure the member will adhere to the caution raised by the previous member.

**MOTIONS**

**HOUSE SITTINGS**

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on November 24, 25, 26 and 27, 2003, for the purpose of considering government business.

*Interjection.*

**The Speaker (Hon Alvin Curling):** Could I ask the member not to anticipate me.

Is it the pleasure of the House that the motion carry?

All those in favour, say “aye.”

All those against the motion, say “nay.”

I think the ayes have it.

There will be a 5-minute bell.

*The bells rang from 1417 to 1422.*

**The Speaker:** All those in favour, please rise one at a time.

**Ayes**

Agostino, Dominic	Fonseca, Peter	Ouellette, Jerry J.
Amott, Ted	Gerretsen, John	Parsons, Ernie



Arthurs, Wayne  
Baird, John R.  
Barrett, Toby  
Bartolucci, Rick  
Bentley, Christopher  
Berardinetti, Lorenzo  
Bountrogianni, Marie  
Bradley, James J.  
Brotten, Laurel C.  
Brown, Michael A.  
Brownell, Jim  
Bryant, Michael  
Cansfield, Donna H.  
Caplan, David  
Colle, Mike  
Cordiano, Joseph  
Craitor, Kim  
Crozier, Bruce  
Delaney, Bob  
Dhillon, Vic  
Di Cocco, Caroline  
Duguid, Brad  
Duncan, Dwight  
Dunlop, Garfield  
Eves, Ernie  
Flaherty, Jim  
Flynn, Kevin Daniel

Gravelle, Michael  
Hardeman, Ernie  
Hoy, Pat  
Hudak, Tim  
Jackson, Cameron  
Jeffrey, Linda  
Kennedy, Gerard  
Klees, Frank  
Kular, Kuldip  
Kwinter, Monte  
Lalonde, Jean-Marc  
Leal, Jeff  
Levac, Dave  
Marsales, Judy  
Martiniuk, Gerry  
Matthews, Deborah  
Mauro, Bill  
McGuinty, Dalton  
McMeekin, Ted  
Meilleur, Madeleine  
Miller, Norm  
Milloy, John  
Mitchell, Carol  
Mossop, Jennifer F.  
Munro, Julia  
O'Toole, John  
Oraziotti, David

Patten, Richard  
Peters, Steve  
Peterson, Tim  
Phillips, Gerry  
Qaadri, Shafiq  
Ramal, Khalil  
Ramsay, David  
Rinaldi, Lou  
Runciman, Robert W.  
Sandals, Liz  
Scott, Laurie  
Sergio, Mario  
Smith, Monique  
Smitherman, George  
Sorbara, Gregory S.  
Sterling, Norman W.  
Takhar, Harinder S.  
Tascona, Joseph N.  
Van Bommel, Maria  
Watson, Jim  
Wilkinson, John  
Witmer, Elizabeth  
Wong, Tony C.  
Wynne, Kathleen O.  
Yakabuski, John  
Zimmer, David

The first—always first—is the people of Ontario. I want to thank them for the privilege they have bestowed upon us. To be asked to govern by Ontarians is a responsibility we take very seriously.

The second group I want to acknowledge is the members of this House. To be sent here by our communities is an honour that I know we all cherish. Congratulations to all of you.

Finally, I congratulate our new Speaker. I believe I speak today for all members of the House—and that may prove to be a rare occurrence—when I say how confident I am that you will do a tremendous job.

Our new government's job is to deliver real, positive change and to strengthen the foundation for even more profound change in the future. That's what our throne speech is all about. Our new government believes strongly that we can have excellence for all in public education, with lower class sizes and higher student achievement; we can deliver the health care we need, with more nurses, family doctors and hospital beds; we can grow strong communities that are safe, livable and clean; and we can change how government works so that government works for the people of Ontario. These are our commitments to the people of Ontario, and we are keeping them.

Already, we are delivering real, positive change. We have acted to stop new applications for auto insurance rate hikes. We've restored local democracy to our schools. We have taken planned private hospitals and ensured they are publicly owned and publicly operated. We have forged a new, constructive relationship with other governments. Our positive approach has brought positive results on SARS funding, on health care funding and on highway construction. Of course, we've only just begun. As the throne speech attests, we have an ambitious agenda ahead of us.

In education, we plan to tackle bullying, making our schools safer, and we plan to introduce character education. We will ask this House to debate and pass legislation to express our rock-solid commitment to public education by cancelling the previous government's tax giveaway to private schools.

In health care, we plan to introduce more accountability for health care dollars. We're going to take steps to give the medical officer of health greater independence, and we will move to curb tobacco use among our youth. We will introduce legislation that shows our rock-solid commitment to universal medicare. Our legislation will, if passed, stop the previous government's creeping privatization of health care by making two-tier, pay-your-way-to-the-front-of-the-line health care illegal in the province of Ontario.

1430

To build a stronger economy and a stronger workforce, we will freeze tuition for two years, improve access to trades and professions, introduce legislation to end the previous government's legislated 60-hour work-week, and bring forward a plan to ensure stable and reliable electricity.

**The Speaker:** All those opposed, please rise.

#### Nays

Bisson, Gilles  
Chudleigh, Ted  
Churley, Marilyn

Hampton, Howard  
Kormos, Peter  
Marchese, Rosario

Murdoch, Bill  
Prue, Michael

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 86; the nays are 8.

**The Speaker:** I declare the motion carried.

#### MEMBERS' RESPONSES

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr Speaker: Notwithstanding the standing orders, the Premier is about to give a statement, and I would seek unanimous consent to allow the NDP members up to a total of five minutes to respond to the Premier's statement.

**The Speaker (Hon Alvin Curling):** All in favour? Agreed.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

#### GOVERNMENT'S AGENDA

#### PLAN D'ACTION DU GOUVERNEMENT

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I rise to make a statement about Strengthening the Foundation for Change. That's the title of the throne speech that was delivered by His Honour in this House, and that is what we intend to do. But as this is my first opportunity to speak in this session, I want to acknowledge a few groups and one individual.

We will act to ban the waste of taxpayers' dollars on partisan political advertising.

Pour renforcer nos collectivités, nous avons prévu la création d'une ceinture verte permanente dans la région du Golden Horseshoe, l'interdiction du rejet de boues toxiques non traitées, la protection de notre eau potable et de nos ressources en eau douce, ainsi que des mesures pour faire cesser l'étalement urbain.

Il s'agit sans doute d'un programme ambitieux. Il est ambitieux parce que nous sommes ambitieux pour la population de l'Ontario et que celle-ci attend beaucoup de son nouveau gouvernement.

The people of Ontario understand, as do we, that to keep the breadth of our commitments we must keep one of our core commitments. We must get the province's fiscal house in order. We made that commitment because it is the foundation on which all of our commitments are based. More importantly, it is the foundation on which our schools and hospitals and communities, and indeed our families, operate. These are the things that matter most to Ontarians, because they strengthen their families and bolster their future.

We will keep that commitment not simply because we understand the value of a dollar, but because we understand the values of Ontarians. We will do it in a way that is in keeping with their values: not on the backs of the most vulnerable among us, but by drawing upon the strength of all of us working together.

Ontarians are doing their job. Our economy is strong. But as Mr Peters told us in his independent report, the budgetary position of the province is weak, weaker than anyone anticipated. We did not create the \$5.6-billion Tory deficit, but we will eliminate it, working with Ontarians. We must eliminate it, because it threatens the public services Ontarians have now, it threatens all that we want for Ontario, and it's in the way of delivering all the real, positive changes Ontarians chose on October 2.

We've got a job to do and we're going to do it—in the right way, for the right reasons, for the best people: the men, women and children of Ontario, whom we are all privileged to serve. We will not paper over this problem with money we do not have, we will not try to make it disappear with accounting tricks, and we will never sit on our hands and do nothing. What we will do in this session, what we will always do, is deliver real, positive change and strengthen the foundation for even more profound change in the future. We will fulfill the mandate we all share: to make this province the envy of the world once again.

**Mr Ernie Eves (Dufferin-Peel-Wellington-Grey):** Mr Speaker, I would like to congratulate you on your election as Speaker of this Legislative Assembly. I think it marks a very significant day in the history of this province.

Not too long ago, the people of this province knew that when political leaders went out and campaigned, they could rely upon them to deliver after an election what they promised before an election. Our government changed that in 1995. Unfortunately, the government of

the day doesn't seem to be able to get that message. They made 231 promises, by a very conservative account, during the course of the election campaign, and all we've heard since then is what promises they cannot deliver on. They're even taking credit, in the statement the Premier just read, for actions that were taken by the previous government.

For example, "We have acted to stop new applications for auto insurance rate hikes." Too bad that was already done on July 2 of this year. All they had to do was leave in place the regulations that were there. I understand that either they already have undone or they have plans to undo one of the three regulations that were passed to give effect to a reduction in auto insurance rates. By the way, during the campaign, Mr Premier, you promised to reduce—not to freeze—auto insurance rates by 20%. When are you going to deliver on that promise, not to freeze them where they are today—20% higher—but to deliver on your 20% reduction?

It looks like P3 hospitals still live in the province of Ontario, despite the fact that the Premier and his party campaigned against them. The only difference is that these P3 hospitals are going to cost more than the other hospitals were going to cost.

They talk about the Canada Health Act, that they're going to introduce some bogus, phony piece of legislation that's going to try to indicate that they're protecting the people of Ontario. The people of Ontario always have been protected by the Canada Health Act. Nothing this government does or doesn't do is going to change that. But I look forward to seeing what they're going to do with respect to their principles around X-ray clinics, kidney dialysis clinics, MRIs and other services that have been delivered by the private sector under the envelope of the Canada Health Act for many years and decades in the province of Ontario. I gather that, being true to their principles, they're going to turf all of those, and the people of Ontario will be in a great dilemma; or they're going to have to go back on their principles. Of course, that wouldn't be a big surprise, as we are seeing.

They talk about making schools safer. Coming from a party that voted against the Safe Schools Act, that's a little hard to take. What steps have they taken in their 33 days in office to actually reduce the deficit number this year? We all understand that there's a challenge. It's not every year we're going to have two bouts of SARS, a blackout, mad cow and West Nile. Speaking of the latter, we look forward to comparing your record on West Nile to our record on West Nile this past year. I'm looking forward to that.

In your platform, the Premier indicated that he knew what the numbers were this year. He accepted this year's numbers. He said that he could find an instant \$2 billion in savings and that he'd still have a \$1-billion surplus. So where is that \$3 billion that you knew was there when people voted for you on October 2?

With all due respect, we look forward to having a constructive role and actually making the government



live up to every one of its 231 campaign promises. Sooner would be better, rather than later.

**Mr John R. Baird (Nepean-Carleton):** I took great interest in the economic facts mentioned by the Premier in his statement. This is the Premier who looked taxpayers in the eye in all those television commercials and said, "I won't raise your taxes." Well, we read this book today, and he's raising taxes on our small businesses, the job-creation engine of the Ontario economy. He's raising taxes on senior citizens, when this former government wanted to make it easier for them to stay in their own homes. He's raising taxes on young working families, people who wanted to realize the dream of home ownership. But today, with the introduction of this bill, that dream is extinguished.

He's raising taxes on tobacco to 74%, and all that those of us on this side of the House can say is, if that was good to do today, why wasn't it good enough to talk about on election day? But we know there are two agendas: There is one agenda that they presented to get votes on election day and there's another agenda that they're presenting on the floor of the Legislature here at Queen's Park.

**The Speaker (Hon Alvin Curling):** I'll now recognize the member from the independents, Mr Hampton.  
1440

**Mr Howard Hampton (Kenora-Rainy River):** Speaker, to be sure, I am a New Democrat, and I am the leader of the New Democrats.

Speaker, I want to congratulate you on your election as Speaker, although, as you know, we wanted you to have some opposition in that vote so you would have greater currency. We wanted you to win the vote. Nonetheless, we wish you well.

I want to say a few words to the Premier. Premier, I know that your media advisers told you today that you had to stand up and give the values speech, so you've given the values speech. But the reality is, you now have to govern. The reality is that even before you are into your first question period, your government already has a record. The record is that you've already broken dozens of promises before your first question period.

I just want to provide some reality check to the image speech that you were told to give. The reality check is this: Your government wants to pretend that suddenly there is a deficit. But, Premier, I was in the estimates committee with your then finance critic, now Chair of Management Board, and I've got the transcript, page 22. In this questioning of the then Finance Minister, Mr Phillips raises a number of issues. He says there's a \$2.2-billion revenue problem because of asset sales. There's \$700 million of in-year savings that hasn't been found. There's \$620 million of lower-than-expected revenue because of a failure of economic growth. He then says there's \$770 million of money which should come from the federal government for health care which isn't coming. Then he says there's an \$800-million SARS problem. At the end of that, your then finance critic

added it up and said, "My, it looks like there's a \$5-billion-plus deficit." That was your finance critic.

On June 3, six months ago, notwithstanding his admission that the previous government was headed for a \$5-billion-plus deficit, you and your candidates went out and promised over 231 big spending commitments. You promised that you would lower the tolls on 407. You promised you would keep the hydro rate cap. You promised that you would save the Oak Ridges moraine from housing. You promised that auto insurance premiums would be reduced. You promised 8,000 new nurses. You promised money for schools, knowing there was a \$5-billion-plus deficit already.

Now is the time when you'll be questioned on this. I just want to note that. I just want to note—

*Interjections.*

**Mr Hampton:** I must have struck a nerve. Sorry.

**The Speaker:** When the Premier was making his presentation, I think they gave him the courtesy that everybody could hear. I'm having difficulty now hearing Mr Hampton.

**Mr Hampton:** I just want to say that the Premier, in his speech, referred to character education in our schools. I would say, Premier, that your government needs to set an example. Don't make promises you can't keep. Don't make promises knowing you won't be able to keep them, because you already knew of a \$5-billion deficit. Your finance critic knew about. Everybody who was in the estimates committee that day knew about it. Heck, even the Fraser Institute knew about it. It was widely known. So my advice: If you now want to talk about character education, don't make promises you can't keep. Tell the truth. That's what people want to hear. Tell the truth.

**The Speaker:** Mr Hampton, you know that your comment was not proper. Would you mind withdrawing that, please.

**Mr Hampton:** Speaker, I'm speaking prospectively, into the future—

**The Speaker:** I ask you again.

**Mr Hampton:** I withdraw.

#### DECORUM IN CHAMBER

**Mr Peter Kormos (Niagara Centre):** Mr Speaker, I have two points of order. The first is brief and I make it in goodwill, acknowledging that there are many new members here, and that is for the Speaker to note the maxim that a member must never refer to another member by name, but by electoral district or ministry; that is, the member for Kenora-Rainy River, or in the case of ministries—

**Interjection:** The Chair of Management Board.

**Mr Kormos:** —the Chair of Management Board. One does not, of course, refer to each other by name. I do not refer to Ms Churley—

**Ms Marilyn Churley (Toronto-Danforth):** NDP.

**Mr Kormos:** Ms Churley-NDP, nor do I refer to the Liberal member from a particular riding—from Mani-



toulin etc—or to the Conservative member. I refer to the member and their riding, or I refer to the minister.

I raise that point of order, Speaker, knowing that you would want to assist all members, especially the new members of this assembly, in refraining from what is an entirely inappropriate practice, but one which all persons here, even with some experience, slip into by not appropriately referring to a member. That's my first point of order.

**The Speaker:** Thank you very much, member for Niagara Centre. As we know, we just came through an election and quite a number of members here are new. And to memorize all that—I think it is well taken and that we should try our best to refer to individuals by their ridings. Therefore, your point is well taken. I hope that no one did it in any way to disgrace or deface the order of Parliament itself.

### MEMBERS' SEATING

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I indicated to you on Thursday that we would be raising this point of order. I want to tell you at the onset that I was very carefully considering whether this was more appropriately a point of privilege or a point of order. I submit to you that it is more properly a point of order, albeit a novel one, and one that I'm not aware of having been dealt with in this chamber before. The point is with respect to the seating of members in this chamber.

I put to you firstly, Speaker—and I can tell you that I anticipate over the course of the next weeks, perhaps months, making frequent references to this excerpt from Griffith and Ryle on Parliament: Functions, Practice and Procedures, Second Edition, London, Sweet and Maxwell, 2003. This is a very important premise, a very important premise, that I quote: "It is worth re-emphasizing that any assessment of the achievement of the Parliament must start from the clear recognition ... that Parliament does not govern the country but is the forum for the public debate and criticism of the policies and acts of government. Parliament's achievement, therefore, must be measured by its success in providing such a forum and in exercising such criticism."

First, addressing what I believe is axiomatic but warrants brief reference, Speaker, is your authority over seating arrangements. I submit to you that it is the Speaker in this Legislature who determines seating arrangements. I make reference first to the well-known and very recent work by Robert Marleau and co-author Montpetit, House of Commons Procedure and Practice, page 183. I quote again: "Members are allocated their seats and desks in the House under the authority of the Speaker but on the advice of the whips of the recognized parties ... following negotiations...."

"Members representing the governing party traditionally occupy those seats to the right of the Chair, with the Prime Minister and other ministers seated in the front rows. Private members, otherwise known as back-benchers, representing the governing party are custom-

arily seated according to their seniority or length of service in the House within their caucus. If the number of members representing the governing party exceeds the number of desks on the right side, the overflow, or 'rump,' of government members occupies those seats across the aisle. This section may, at the discretion of the Speaker, be near the chair or at the far end of the chamber."

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Of course, Marleau, being the authoritative author that he is, with his incredible experience, footnotes that.

I'm going to get to what I call the bifurcated or split rump in just a minute.

Beauchesne: another Canadian authority, and I refer to Beauchesne's Rules and Forms of the House of Commons of Canada, 6th edition, page 36. I want you to note that this is the latest edition, published in 1989, prior to subsequent rulings by the Speaker of the federal House, including rulings in 1994 by Speaker Parent and of course the well-known ruling of 2001, with which everyone is familiar. That is, "Members are allocated desks in the chamber by the Speaker on the advice of party whips who, in turn, have the concurrence of their leaders. By custom, the centre of the first two rows of desks on the Speaker's right are reserved for ministers. The front row on the Speaker's left is reserved for the leading members of the opposition parties. Each opposition party is allocated a proportionate number of front desks as they have elected members in the House."

Page 37 deals with the rump: "If the majority party has more members than there are desks on the Speaker's right, then the remaining government members occupy desks across the aisle. This section may, at the discretion of the Speaker, be near the chair or at the far end of the chamber and is commonly referred to as the rump." Marleau, Beauchesne.

Erskine May, the British authority—and of course everyone in this chamber is familiar with Erskine May. We have to note that in Westminster, in the British Parliament, which has hundreds of members and nowhere near enough accommodations—there are the benches, of course—there are no assigned seats for private members, or what we colloquially call back-benchers. I am referring to Erskine May, 1997, 22nd edition, page 178: "In the Commons no place is allotted to any member," as I just indicated, "but by custom the front bench, on the right hand of the chair, called the treasury bench or government front bench, is appropriated for the members of the administration. The front bench on the opposite side, though other members occasionally sit there, is reserved by convention for the leading members of the opposition."

Now take us to Griffith and Ryle once again. I quoted from Griffith and Ryle as part of the preface. Once again, Griffith and Ryle, Sweet and Maxwell, published 2003. Erskine May has not had new editions in some considerable length of time, but not for as long as Bourinot, and I'm going to get to Bourinot in 1916 in just a minute. Griffith and Ryle, page 196: "To the right of the Speaker



sit ministers on the front bench, and behind and around them the backbenchers of the government party. To the Speaker's left are the opposition front-bench spokesmen and their supporters. Below the gangway ... on the opposition side there are also benches for members of smaller parties such as the Liberal Democrats, and the Scottish, Welsh and Ulster parties." Once again, "smaller parties," not necessarily recognized parties for the purpose of funding, under the standing orders and rules of the British Parliament—notwithstanding that, still opposition parties.

Australia—I refer to the work *House of Representatives Practice*, 3rd edition, edited by L. M. Barlin, published 1997, page 83:

"In many respects the functioning of the House is based on the clear-cut division between government and opposition; that is, the opposing political parties, and the working arrangements and conduct of business reflect this. An obvious recognition of this historical development is the seating arrangement in the House with government members sitting to the right of the Speaker's chair and opposition members to the left."

Bourinot, last edition, 1916, published by Canada Law Book Co here in Toronto, a Canadian authority and one of the best-established Canadian authorities—Bourinot, the 4th edition, page 156—this is 1916 and this illustrates how long this practice has been in existence, this tradition, this convention, in fact, as Marleau would speak of it, an order, by virtue of the common law, by virtue of practice.

"The members of the two houses are provided with seats and desks, to which is affixed a card with the name of the member to whom it has been allotted. The members of the privy council and the members supporting the administration of the day occupy places to the right of the Speaker, as far as they can be accommodated, and the members of the opposition to the left."

I had occasion to take a look at seating plans going back to the early part of the last century, indeed going so far back that the gallery on this side was referred to as the "ladies' gallery," while the gallery on this side was referred to as the "public gallery," which I suppose, in a sad way, reflected some of the unfortunate values of the time.

But let me take you through this, because this deals with the bifurcated rump. Marleau makes reference to the bifurcated rump as having occurred in the federal Parliament. Marleau notes that there were several occasions in the 35th Parliament when the overflow of government members sat to the immediate left of the Speaker, and that is to say at the end of the chamber closest to the Speaker, but, I say to you, not in such a way as to interrupt or form a wall or a barrier between other opposition members.

During the 24th Parliament, 1958 to 1962, the overflow of government members sat to the left of the Speaker at the far end of the chamber. During the 33rd Parliament, 1984 to 1988, when there were 211 government members, the overflow of government members

was situated both immediately to the left of the chair—closest to you, Speaker—and at the far end of the left side of the chamber.

**Interjection:** Bifurcated.

**Mr Kormos:** Bifurcated rump, a split rump—effectively splitting the overflow of government members to bookend those members of the opposition parties. Now, please, sir, I didn't author the name "rump" and so I don't use that in any way that is disparaging to the members supporting the government who find themselves in the rump.

Look what happened in 1949. In 1949, we had a bifurcated or split rump for the first time that I'm aware of here in the province of Ontario. The Conservative government had a rump which occupied the place in the House farthest away from the Speaker. The CCF—the Co-operative Commonwealth Federation—sat to the Speaker's left, on the opposition benches. Next to them sat the Liberal Party, including one Liberal-Labour member, identified as such in the seating plan. I just mention that as an interesting observation: a Liberal-Labour member—not a member of the Liberal Party, but a member of the Liberal-Labour Party. Then even two Labour-Progressive members—and those people who are students of the history of this great place will recall Joe Salsberg and A.A. MacLeod—sat to the immediate left of the third party. So you see, in 1949 we had a rump that sat at the far end. We had three groups of opposition members, with two members identified on the seating plan as Labour-Progressive, but nonetheless to the immediate left of the third party.

**1500**

What I'm suggesting to you is that the documentation demonstrates that the seating plan that has been convention has been one of the official opposition; to their immediate left, the third party; and then to their immediate left, descendingly, other opposition parties or even groups of opposition members.

In 1951, a very similar scenario. We haven't reached the split rump yet. In 1951, once again, two Labour-Progressives with a Tory rump at the far end of the chamber, CCF, Liberal, including the Liberal-Labour member sitting with the Liberal caucus—most interesting—and identified as Liberal-Labour on the seating plan.

In 1952, the first split rump, as mentioned, in the federal Parliament occurring the one time. Understand why that happened. In that respect, Roderick Lewis's book *The House Was My Home*, published in 1987—and I know that everyone here has read this. If new members haven't read it—I'm serious—I urge it upon you. Lewis explained that there were three split rumps of three successive Parliaments in the early 1950s.

On page 11, he writes, "Of course there have been a number of occasions when the government was supported by a very large majority when a section on the opposition side had to be allotted to members of the government party, such a section being commonly called a rump. While members of the government party of



course do not like sitting on the opposite side it does not present the same difficulties for them as it would for opposition members being seated on the government side." Lewis clearly makes note of the problematic and truly unprecedented phenomenon of opposition members—he uses the language very clearly—in effect being seated on the government side. "The most unusual arrangement arose during the Parliament of 1951 to 1955." He goes on to explain. What had happened is that Premiers and official opposition leaders had historically sat at the Speaker's right but close to the Speaker. Premier Leslie Frost thought the imagery of being surrounded by his backbenchers was more dramatic, and Premier Leslie Frost moved the Premier's chair to the centre of the government benches.

Lewis indicates on page 12, "As has been stated Mr Frost had moved his seat to the approximate location of the Premier's seat in the present House with the Leader of the Opposition opposite so that the 10 members of the opposition were grouped in a small section surrounding the opposition leader and there were two blocks of government members, one to the left and one to the right of the opposition."

We've got that in 1951, as I showed you. We've got it in 1952, once again. Here we have but two CCFers not sent off into the nether lands, but located where convention and tradition indicate they should be in their appropriate position to the left of the next-largest opposition party.

To 1953: a bifurcated split rump, once again the Liberals being the official opposition, including one identified Liberal-Labour Party member, two CCFers, and once again Joe Salsberg, Labour-Progressive, not off to another part of this chamber, but following that succession of opposition party, third-party and then increasingly smaller numbers.

In 1955, the last bifurcated rump, but three CCFers sitting to the immediate left of the official opposition with the split rump so as to not interrupt the opposition benches.

In 1960, no need for a split rump, but once again five CCFers, not with a rump separating the two groups of opposition members but the five CCFers being in their appropriate, historical, traditional and conventional role to the immediate left of the Liberal official opposition.

In 1964, 27th Parliament, same scenario.

In 1968, 28th Parliament, same scenario.

In 1971, 29th Parliament, same scenario.

In 1975 there was no rump.

In 1977, 31st Parliament, no rump.

In 1981, no rump.

Indeed, the next rump was in 1987, and the last rump prior to this government, 1987 through 1990, and once again, as has been indicated in parliaments throughout the British Commonwealth, the rump is at one end or the other. In 1987, with that majority government, the rump found itself at the far end of the chamber and not separating the two groups of opposition members.

Speaker, I put to you to that it is clear that this matter of seating is within your authority. You are the final word on where members sit.

I want to indicate to you that the Clerk's office advised me on two successive days, first on November 17 and then on November 18, of proposed seating plans which had the Liberal rump in this unconventional, untraditional and unprecedented place. I wrote to the Clerk on November 18 expressing our concerns about separating two opposition groups by a government rump and indeed endorsing either the split rump of 52 to 55 or in fact calling for convention to be complied with.

In wrapping up, this isn't just a matter of convention, and convention alone. Convention is important in this institution; not to say there isn't evolution, of course not, but convention and tradition are important. Convention and precedent have the power of standing orders, but there are some practical reasons for this.

Quite frankly, Speaker, you know as a result of your considerable tenure and experience here that from time to time opposition parties are required to collaborate. I recall one occasion where, although the third party was sitting as the third party, it was a member of the official opposition who, during a very contentious debate, stood firm in his seat and remained there through the night. And there was significant collaboration, as you may recall, Speaker, between the third party and the official opposition.

There are other occasions when, because of the common role—and that's what gets back to my first reference to Griffith and Ryle in that the design of this place is not for the government to govern. The government doesn't govern out of Parliament. Rather, Parliament is a forum where government is tested. I put to you—I don't want to be any lengthier than I have to—that this compels your intervention, that you ought to restore the Liberal rump to their appropriate position, to their historical position, and that would be either on one end or the other.

1510

You see, this isn't about where my colleagues and I sit; it's about where the rump sits. The rump belongs on one end or the other. That's clear. There is no precedent to the contrary—or on both, but never, ever occupying the left of the Speaker, space traditionally reserved for opposition members. You've seen opposition members amounting to one, Joe Salsberg, Labour-Progressive, who was accorded the position in reference to the Conservative rump of the day, which put the Conservative rump in their appropriate place, and that was at this extreme end.

I put to you that you have the jurisdiction, that you have to exercise that jurisdiction, and that you have to rectify, with respect, this unfortunate oversight.

At this point, I'll leave it at no more than that. I don't think I should engage in any stronger language, because I'm prepared to acknowledge that it was but an oversight, because I can't for the life of me imagine government House leaders or whips so malicious as to want to display, dare I say it, contempt for parliamentary tradi-



tion and convention, nor so malicious as to want to interfere with the respective roles and the sometimes mutual collaborative roles that opposition members, although they may not belong to the same party, engage in.

**Mr Robert W. Runciman (Leeds-Grenville):** On the same point of order, Mr Speaker: I want to give our caucus's support to the point of order brought forward by the member from Niagara Centre. We believe there is a case to be made for the Speaker to consider this point of order for the very simple reason that the seating arrangement appears to stand against long-standing parliamentary convention in Ontario.

The standing orders that govern this place do not specifically lay out rules with regard to the seating of MPPs in the House. However, section 1(c) of the standing orders provides for this type of situation, namely issues dealing with House business that are not provided for in the standing orders.

I'll quote briefly from that section: "In all contingencies not provided for in the standing orders the question shall be decided by the Speaker or Chair, and in making the ruling the Speaker or Chair shall base the decision on the democratic rights of members referred to in clause (b). In doing so the Speaker shall have regard to any applicable usages and precedents of the Legislature and parliamentary tradition."

Based on a survey of the Ontario Legislative Assembly seating plans for the last 75 years, the current seating arrangement stands alone as the only time that members of the government caucus are sitting between, indeed splitting, the opposition benches.

Some 76 years ago, the Legislature of the day saw 83 government members elected; 55 sat on the traditional government side, while 17 sat in the opposition, furthest from the Speaker. The Liberals, Progressives, United Farmers and Labour sat as a group on the opposition side.

In 1947, with 90 members elected to the House, the seating plan shows that 45 of 66 government members were seated on the government side and 21 on the opposition side, furthest from the Speaker. The remaining opposition members—the Liberals, CCF, Liberal-Labour, Labour-Progressives, one independent—were seated as a bloc, separate from the government members.

In 1989, the governing Liberals housed 76 MPPs on the government side, with an additional 18 on the opposition side, again furthest from the Speaker. As you may recall, the opposition members sat as a bloc.

In 1995, when our party elected 82 members, 70 sat on the government side, while the remaining 12 sat as a bloc furthest from the Speaker's chair.

Mr Speaker, we're looking to you to consider the seating plans for the last 75 years as an example, indeed a standard of parliamentary tradition in Ontario, when making your decision. Note a few brief examples from other jurisdictions. The current seating plan from Alberta's Legislature shows the tradition of housing government members apart from opposition members when there's a need for an overflow caucus of government

members on the opposition side. In Alberta, the opposition Liberals and NDP are located beside each other, while government members housed on the opposition side sit beside the opposition members.

The bottom line is that both here and in other assemblies constituted under British parliamentary tradition, the opposition benches sit as a bloc of members elected to hold the government of the day to account without regard to their status as a duly recognized party.

We would once again, Mr Speaker, respectfully ask you to consider this case carefully in light of established parliamentary convention in this province.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I want to respond to the point of order briefly, if I may.

First of all, the member from Welland-Thorold did reference Montpetit and Marleau, but he neglected one very significant paragraph; he seemed to overlook it. Allow me to read that. This is under the section dealing with assignment of seats in the House.

"Those members who do not have a party designation or who represent a party not recognized by the House are seated subject to the discretion of the Speaker in whatever seats are remaining. These members typically occupy the desks to the left of the Speaker along the back rows, often but not necessarily near the end of the chamber. The Speaker allocates the seats for these members pursuant to their seniority as elected members, while at the same time retaining a degree of latitude in determining these arrangements."

You'll recall, Mr Speaker—we are dealing with a separate situation here—that in this House in 1999, the then Conservative government, with the unanimous support of the House, defined what a party is in the standing orders. That's under section 2:

"For the purpose of these standing orders,

"'recognized party' means a party caucus of eight or more members of the Legislative Assembly."

In the last House, in the brief time I have been here, independent members have been seated in that corner, in that corner, and the Speaker's chair is in that corner. That has been the tradition of the place.

I think it's also important to note that former Speaker Carr, in the lead-up to the reconvening of the House, was aware of the proposed seating plan now in place and, to our knowledge, raised no concerns about it.

There is no difference in where the seven members at the end are seated from where they were in the last House. The history of the place, the tradition of this place, has been in fact that independents tend to be along the back row, according to precedent; that is according to Montpetit and Marleau. In the corners here we've had various independent members in the brief time that I've served in this Legislature.

I'd ask Mr Speaker, in contemplating this, that he take into account, if not this arrangement, then what normally happens with the seating of the independent members as such. It's quite clear in the precedents established in Montpetit and Marleau. The members who are concerned



about this are basically seated in the same spot they were before. This does not, in our view, in any way infringe on the right of any member of this Parliament to participate, whether they sit there, there or there. In fact, in Ottawa, one can recall in very recent history the overflow government members seated indeed very close to the Speaker's left on the opposition side. There is some latitude to the Speaker, but the Speaker must account for all facts, including traditionally where we place independent members in this House in terms of seating.

With that, and recognizing the time, I would conclude by saying that the participation of all members, regardless of where they are seated, is guaranteed by you through the standing orders that are agreed to by this House. Accordingly, we trust that regardless of whether a member sits in this seat or at the far end of the House, he or she will have an equal opportunity to represent his or her constituents. The seating arrangement as contemplated now does not, in our view, infringe upon the rights of any individual members to represent the best interests of their constituents or this province.

**The Speaker (Hon Alvin Curling):** On the same point?

**Mr Kormos:** If I may in brief reply, I am rather amazed at the comments by the government House leader. Yes, I've read all of Marleau and Montpetit several times and, you see, those little numbers refer to footnotes. When the little numbers appear at the end of a sentence, you have to read the footnote. The footnote, of course, is the ruling by Speaker Parent on June 16, 1994, in response to—

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**The Speaker:** Member, let's clear up a point. Are we going to have a debate of this now? You've put your case, and I think you made some excellent points. I also think that the member from Leeds-Grenville made some very, very good points and, of course, the House leader. If you would allow me, instead of having a debate about that today, to take those concerns and get back to you as soon as possible, I would really appreciate that.

**Mr Kormos:** Thank you kindly, Speaker. I do refer you to the ruling of Speaker Parent, though, of June 14, 1994, because it clearly gave nine New Democrats bloc seating, not in back rows.

**The Speaker:** And if there is additional information you do have, I am quite open that we can meet each other and do this at a time so I can come back with a ruling that is satisfying to all.

**Mr Runciman:** On a point of order, Mr Speaker: Given the very expensive media training that new members of cabinet have gone through and that at least one—the member for Ottawa West-Nepean, I think—bought a new suit for this occasion, I would ask for unanimous consent that we extend question period for the full hour.

**The Speaker:** The member has asked that question period be extended for the full hour. Do I hear unanimous consent for that? I heard a no.

## ORAL QUESTIONS

### OAK RIDGES MORaine

**Mr Ernie Eves (Dufferin-Peel-Wellington-Grey):** Mr Premier, you said on October 17 this year in a speech to the Ontario Chamber of Commerce, "We sent out a very clear signal, it's been out there for a very long time now: We're committed to putting genuine protections to the Oak Ridges moraine, and we've said we're not going to allow the construction of those 6,600 homes." Is that a principle you still believe in?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I thank the Leader of the Opposition for his question and look forward to a number of exchanges in the ensuing months.

Our responsibility in this and all matters is to bring a responsible approach to dealing with these issues. We have made the very best of a bad situation. We have expanded the corridor and the wildlife routes, we have protected more of the sensitive lands around Philips Lake, which we've brought into public ownership, and we have managed to reduce by 900 the number of housing units on the lands. The other thing I should say is that we will take the necessary steps to ensure that no other government can enter into this kind of deal again.

**Mr Eves:** Speaking of Philips Lake, I didn't know you could skate on it yet.

Your Minister of Municipal Affairs said on Friday when he was questioned about this, "Perhaps we were too naive." This was out there for some 16 months before you made your speech to the Ontario Chamber of Commerce. You were talked to about this, you were warned about this, you are a lawyer by trade. Are you really asking the people of Ontario to now believe that for 16 months and all through the election campaign you promised that you would put a definitive end to this, and then all of a sudden, mysteriously, between October 17 and last Friday, you finally realized after 16 months that you were wrong and you were naive and you couldn't do it. Is that what you're asking us to believe?

**Hon Mr McGuinty:** I want to assure the people of Ontario that we fought as hard as we could to turn your deal around and to protect environmentally sensitive lands. That's exactly what we did.

We're also, as I said earlier, going to take the necessary steps to ensure that this kind of a deal cannot be entered into. Beyond that, we're going to lend permanent protection to the Golden Horseshoe greenbelt, which will protect hundreds of thousands of acres in perpetuity.

**Mr Eves:** To the Premier again: Then, last Friday, on November 21, not only did you renege on your commitment about the moraine; you didn't even have the common decency to attend yourself. You, by coincidence, arranged three other events around the province of Ontario. You had been in government for 30 days. Are you asking the people of Ontario to believe that not once in those 30 days could those other three commitments



have been dealt with, which would have enabled you personally to attend at the moraine announcement and make it yourself? Are you asking us, the 12 million people in the province of Ontario, to believe that this was just a coincidence?

You know, the Premier has been quoted as saying, "This is not exactly the job your new government applied for." I think the question people of Ontario have to be asking themselves today is, "Are you up to the job?"

**Hon Mr McGuinty:** I'm sure the Leader of the Opposition would be interested in learning more about what we intend to do to ensure that we are providing better protection to environmentally sensitive land in Ontario.

We're going to introduce significant new planning reforms to protect the public interest and prevent deals like the ones you just got into in Richmond Hill.

We're going to introduce fundamental reforms to the way land use planning processes are done in Ontario to give people a real and meaningful voice in the way their communities grow and prosper.

What we intend to do, to repeat, is to ensure that this kind of a deal is never, ever entered into by their government again.

**The Speaker (Hon Alvin Curling):** New question.

**Mr Frank Klees (Oak Ridges):** My question is to the Minister of Municipal Affairs. I would like to first of all take the opportunity to thank the minister for acknowledging in a very public way at his most recent press conference that when our leader, Ernie Eves, was issuing warnings to the opposition and to Mr McGuinty that cancelling or even threatening to cancel the Oak Ridges moraine agreement would cost the taxpayers billions of dollars, according to the new Minister of Municipal Affairs, he was indeed speaking the truth.

Now I would like to ask the new minister to speak the truth as well. Will he admit in this House today that, contrary to what his leader is saying, that there will never be another deal like this, he indeed, acting on behalf of this new government, entered into precisely the same kind of deal with developers and he extended this deal by some hundreds of acres in exchange for saving 50 acres? Will he today disclose to this House precisely how much this new deal that he has made will cost the taxpayers of Ontario?

**Hon John Gerretsen (Minister of Municipal Affairs, minister responsible for seniors):** In response to the member opposite, let me just say this: The exchange that took place—we're basically exchanging the most ecologically sensitive lands in the Oak Ridges moraine, to the extent that there will be 50 more acres of parkland around the two kettle lakes that will be protected for generations to come. The developers will also contribute \$3.5 million toward the development of that park. As a result of what has happened, sir, you know that the wildlife corridor of the moraine will be widened to a much greater extent than it currently is. You should also know that as far as the land exchange in Pickering is concerned, we will fully consult with the city of Pickering

and the region of Durham to make sure that the political leadership of those communities is totally involved in the land exchange that will take place.

**1530**

**Mr Klees:** It's very obvious to me that the minister was not involved at all in negotiating this deal, because he has no concept of what's in the deal. The fact of the matter is that when the facts come out in this province, he has exchanged some 40 acres of land for some 800 acres in Pickering. I'd like to know how he can justify that when they are unable to meet any of their commitments relating to health and education in this province because of a supposed, bogus deficit. Yet he has single-handedly sold off literally hundreds of millions of dollars of provincially owned lands to do a bad deal for the people of Ontario. How can he justify it, and will he table that deal in the House today?

**Hon Mr Gerretsen:** Sir, the only bad deal that was made was your deal with the developers. We made that deal much better, to the extent that there will be 50 acres of land added to the parkland. The corridor will be wider so that wildlife can go through the moraine there. You know that to be a fact as well. As a matter of fact, we not only did that, but we will make sure that this kind of situation will never happen again in the future, with the introduction of greenbelt legislation in this House and planning legislation that will in effect give the people of Ontario and the cities and municipalities that are involved a much longer period of time to react to developers' plans that come before them.

**Mr Klees:** The new minister says he had no choice; we've heard that before from a Liberal. He had a choice, and the choice he had was to honour an existing agreement that, quite frankly, was supported as a fair agreement not only by all stakeholders but by environmental groups such as STORM. They said it was a good deal for the environment, it was a good deal for taxpayers. This minister and his new leader have sold out the taxpayers of this province. Shame on you.

Will you disclose the actual details and confirm for the people of Ontario the hundreds of millions of dollars that you have just sold us down the river on?

**Hon Mr Gerretsen:** You know that we have made the bad deal that you made a lot better. And if, according to you, the environmental community was all in favour of your deal, they surely ought to be in favour of this deal, because it's so much better, in that more land will be protected as far as the moraine is concerned.

The councils of the town of Pickering and the region of Durham will be fully involved in any land exchange that takes place in that area.

**The Speaker:** New question.

**Mr Eves:** A questions to the Minister of Municipal Affairs: You understand that when Minister Hodgson negotiated this deal, he committed to the people of the province that the deal would be submitted to the fairness commissioner, to the Environmental Commissioner and to the Provincial Auditor. Will you please stand up in the House today and confirm that your government will do

exactly the same and that if any of these bodies disagrees with your deal, you will can your deal?

**Hon Mr Gerretsen:** The fairness commissioner has already agreed to take a look at this deal in exactly the same way they took a look at your bad deal, and I'm sure that the same can be said for the Environmental Commissioner. This deal will be subjected to exactly the same rules and regulations as the deal you made some time ago.

**Mr Eves:** I see that the Minister of Municipal Affairs again thought he was perhaps too naive last Friday. That's not what you said in a scrum at the event last Friday. You said it would be submitted to the fairness commissioner only; I'm glad to see that you've reconsidered after three days. Are we going to go through this every single day, that you guys make a commitment and three days later you change your mind? Save the Rouge president and Toronto city councillor-elect Glenn De Baeremaeker told Minister Gerretsen that he campaigned for the Liberals during the provincial election because of their position against the development—his words, not mine: "Why did you lie to us?" he said.

**Hon Mr Gerretsen:** As I've already indicated here in the House today and as I indicated at the press conference that was held last Friday, this deal will be looked at by the fairness commissioner. He's agreed to do that, and we look forward to him doing that.

**The Speaker:** Just let me caution the members again. I know sometimes we become rather creative about using the words that we have used and I know it's an indirect way of saying something about lying. I hope you would refrain from using that kind of strategy.

The next question is for a government member.

## LAND USE PLANNING

**Mr Kevin Daniel Flynn (Oakville):** I have a question also for the Minister of Municipal Affairs. Minister, on Friday, November 21, you announced a number of reforms to the planning process in Ontario, namely, reforms to bring more accountability, transparency and public input to the way land use planning decisions are being made across this province—something previous governments appeared to have no interest in doing. What will be done to bring about real and positive change to the planning process in Ontario?

**Hon John Gerretsen (Minister of Municipal Affairs, minister responsible for seniors):** I would like to thank the member for his question, as I would like to thank the other members for their questions as well.

Our commitment is to give the people of Ontario a real and meaningless—meaningful voice—

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. I thought you all wanted to get question period for one hour, but somehow you are extending it and reducing it in a different way now.

**Mr Frank Klees (Oak Ridges):** Mr Speaker, on a point of order: I just want to assure the minister that he's

off to a good start of a meaningless way of doing business in this government.

**Hon Mr Gerretsen:** Unfortunately, I did slip into thinking about what the former government had done when I said that word "meaningless."

We are all about giving the people of Ontario a meaningful voice in the planning process, and that's going to be done in three ways. Number one, we're going to protect the public interest by preventing developers from forcing unwanted urban expansions. We're going to give municipalities the power and control over that. We're going to give members of the public a stronger voice in the planning decisions that affect our communities by doubling the time frame for allowing municipal review of planning applications.

**Mr Flynn:** Minister, in the past five years, municipalities in the GTA have spent more than \$20 million fighting OMB decisions. The township of Uxbridge, for example, had to raise property taxes just to pay the legal fees it incurred while fighting a developer at the Ontario Municipal Board.

As you are probably aware, I am a former regional councillor for Halton. As a regional councillor, I was appointed to the GTA task force on Ontario Municipal Board reform, and we submitted a report to the province in March 2003. Minister, will you take seriously the recommendations in the GTA task force report, unlike the previous government, and enable democratically elected municipalities to ensure they have vibrant and healthy communities?

1540

**Hon Mr Gerretsen:** First of all, let me take this opportunity to congratulate all of the municipal politicians who were elected two or three weeks ago. The task that they will have over the next three years will be daunting, and we all wish them well.

There is absolutely no question that one of the other changes that we're going to make to the planning legislation is to make sure that land use planning decisions will be consistent with provincial policy documents: not just "having regard to," but "will be consistent with."

As Ken Boschoff, the president of AMO, said after this announcement was made last Friday, "Giving councils due credit to make decisions for their communities is an important step in recognizing municipalities as a responsible and accountable order of government elected by their constituents to look after their municipality."

We totally agree with AMO's position on this. We'll be working with them and the other stakeholders to make sure that the new planning process will best suit the people of Ontario, and that's what this is all about.

## LAND DEVELOPMENT

**Mr Tim Hudak (Erie-Lincoln):** A question to the Minister of Municipal Affairs. Theodore Roosevelt once offered the brilliant political advice to speak softly and carry a big stick, but when it comes to carrying out his



Oak Ridges moraine campaign promises Dalton McGuinty speaks loudly but carries a little stick.

The obvious conclusion to their land-swap deal: thousands, and potentially tens of thousands, of new houses are going to be built in the Seaton area.

To the minister, can he guarantee for the House today that two thirds of the land in the Seaton area will be protected from development, as requested by local environmentalists? Can he guarantee that today?

**Hon John Gerretsen (Minister of Municipal Affairs, minister responsible for seniors):** We've already given the commitment that over 50% of the land in Seaton that is environmentally sensitive will certainly not be built upon, and we can give that assurance unequivocally.

I can also tell you that the city of Pickering and the region of Durham will be fully consulted and involved in the land exchange program so that they know exactly what's going on and so that what will be built there will be in conformity to the wishes of the city of Pickering and the region of Durham.

**Mr Hudak:** I'm rather concerned. There was also a consultation with the people of Ontario, and the Liberal Party under Dalton McGuinty clearly indicated in its platform that up to two thirds of the land in Seaton will be protected from development. That's page 19, sir, of your platform. You just said that one half of the land will be preserved. Your campaign commitments, your member for the area, all those who were campaigning in the 905 area, said that two thirds of Seaton will be protected.

Why are you, sir, now in the House saying that only 50% will be protected when you campaigned on two thirds? Is this again, on the heels of the Oak Ridges moraine flip-flip, one more Dalton McGuinty flip-flop when it comes to development for the province of Ontario?

**Hon Mr Gerretsen:** Sir, as I indicated before, the environmentally sensitive land will be protected. The question I have of you, sir: Would you rather have the—

*Interjections.*

**The Speaker (Hon Alvin Curling):** You're supposed to listen to the answer, and I would appreciate very much if you would give the minister a chance to respond. Minister?

**Hon Mr Gerretsen:** The city of Pickering and the region of Durham will be fully consulted before the final land exchange takes place to make sure that those municipal governments agree with the steps that the province is going to take in this particular area. Sir, that is the best kind of guarantee and advice that can be given with respect to the land exchange.

#### TOBACCO SMUGGLING

**Mr Jim Brownell (Stormont-Dundas-Charlottenburgh):** My question is to the Minister of Finance. As you are aware, my community of Stormont-Dundas-Charlottenburgh borders the United States and is in close

proximity to the Quebec border. In the early and mid-1990s our community struggled with increased and evident tobacco smuggling which endangered members of our community as well as enforcement personnel. This blatant disregard for law and order became so serious that the province's hand was forced to lower cigarette taxes in order to curb tobacco smuggling. With our government keeping its commitment to raise taxes to the national average, what are you going to do to ensure we do not find a resurgence of smugglers' alley?

**Hon Gregory S. Sorbara (Minister of Finance):** I want to begin by congratulating the new member from Stormont-Dundas-Charlottenburgh. He succeeds a great, now retired, member of this Parliament, John Cleary. We all remember him well. I want to wish you, sir, the very best of good luck as you take your seat in this House.

You raise a very important question. The fact is that today we introduced a bill that will raise in a significant way tobacco taxes. The balance in dealing with tobacco taxes is to make sure that the additional levy is not so high as to encourage, if I can use that word, an underground economy in tobacco. We think our moderate approach to moving toward the national average in cigarette taxes will do just that. We are going to be extremely vigilant so that we don't make the mistakes that were made in the past when the national government had to actually roll back cigarette taxes in order to dampen that underground economy. We're not going to let that happen.

**Mr Brownell:** Minister, it is good to hear that you take the smuggling issue seriously. We don't want to return to the problems of the past. I want to stress again that the serious issues of violence stemming from smuggling have turned some people off raising tobacco taxes. People want to see that there is a positive benefit to the policy beyond revenue. Can you tell me what the health impact of an increase in tobacco taxes would be? What is the benefit to the people of Stormont-Dundas-Charlottenburgh if there is an increase in the tobacco taxes?

**Hon Mr Sorbara:** I think it would be best to refer that supplementary to my colleague the Minister of Health.

**Hon George Smitherman (Minister of Health and Long-Term Care):** I too would like to add my congratulations to the member for Stormont-Dundas-Charlottenburgh on his election, and say that smoking kills, that in the province of Ontario tobacco use is the leading cause of preventable illness and premature death, killing 16,000 citizens a year. Health care expenditures related to tobacco use cost Ontario taxpayers an estimated \$1 billion a year, and diseases caused by tobacco cost the economy an estimated \$2.6 billion each year in lost productivity, as reported by the Addiction Research Foundation. These are all good reasons for Ontarians to stop smoking, but far and away the greatest reason, and the reason that I recommend this piece of legislation to the member from Simcoe North, is because it can prevent young people in the province from taking up this habit which may reduce their life.



## OAK RIDGES MORaine

**Mr John R. Baird (Nepean-Carleton):** I'd like to return to the Minister of Municipal Affairs. Minister, your Premier said on October 17, 2003, after the election campaign, "We're not going to allow the construction of those 6,600 homes." Yet on Friday you said, "Perhaps we were too naive without knowing the full implications of the deal at the time." I'd like you to tell the House, the people of Ontario, what specifically did you learn between October 17 and last Friday?

**Hon John Gerretsen (Minister of Municipal Affairs, minister responsible for seniors):** What I did learn since that time is that we've got a bigger park, we've got more environmental protection and we've got a thousand fewer homes in that particular area. The moraine has been saved to a much greater extent. That's what we've learned since then. The deal that we have now is a lot better for the people of the Oak Ridges Moraine and for the people of Ontario. The people of Ontario have won as a result of the negotiations that this government, under the leadership of Dalton McGuinty, took to make sure that the moraine is protected; as well as the greenbelt legislation that will be introduced later on in this session; as well as the Planning Act legislation that we just talked about. We want to make sure that the people and the municipal leaders of Ontario are much more involved in the planning process of this province than they have been.

1550

**Mr Baird:** I think what the people of Ontario see is another government minister and a part of a government who have broken yet another campaign election promise. You were the party that said you were going to be open; you were the party that said you were going to be transparent. If this is such a good deal for the environment, if it's such a good deal for people in York region, the GTA and the people of Ontario, why won't you immediately table your backroom deal with developers? Are you ashamed to table it today and will you table it today? Yes or no?

**Hon Mr Gerretsen:** The details with respect to the deal will be known in due course, which is precisely the same argument that was used by your government when you were in office just two or three months ago. What we do know is that the people of Ontario are going to get greater greenbelt legislation and protection. We're going to protect over 600,000 acres of land in this area for conservation purposes. That's what we're going to do. We're going to better the Planning Act in the processes, something that you in your eight years of practice didn't do at all. We're going to make sure that the people of Ontario have a say in the planning of the future of this great province of ours.

## CHILD POVERTY

**Mr Ernie Parsons (Prince Edward-Hastings):** My question is for the Minister of Children's Services.

Minister, as you're undoubtedly aware, I'm very concerned about the welfare of children. For many years I've seen families living below the poverty level struggle and all too often fail to provide the necessities of life for their children. Our family has fostered children who believe that the definition of wealthy is someone who has three meals a day. For too many, food has become a privilege rather than the right that it actually is. A recently released report on child poverty has a number of alarming statistics that reflect the current state of child poverty still to this day. Not only is it alarming but it's shameful that families who are good, honest people that make up the very fabric of our society are so often caught in a situation that, by its nature, does not enable them to better their position in life.

Since we've seen very little done provincially over the past eight years to assist struggling families and eliminate children from having to live in poverty, how do you plan to assist parents who are trying to be successful and provide the very basic of necessities for their families?

**Hon Marie Bountrogianni (Minister of Children's Services, Minister of Citizenship and Immigration):** I want to thank my colleague for Prince Edward-Hastings for his question. I know that all the members of this House are concerned about the recent findings of the child poverty report. I'd also like to remind members of the House that from 1989 to 1999 child poverty rates in Ontario rose from 11.5% to 16.5%; and from 1995 to 1999 the number of children in low-income families grew by 9% in Ontario. I think it's significant that for the first time in Ontario's history we have a ministry for children, the Ministry of Children's Services. My responsibility is to better integrate all of the programs across all the ministries for children.

In the speech from the throne last week, our government demonstrated its commitment to children by making a real positive difference in the lives of Ontarians by announcing that for the first time in eight years the minimum wage will finally increase, that pregnant women on social assistance will once again get the nutritional supplements they need, and that deadbeat parents who fail to support their children will be held to their family responsibility. The new Ministry of Children's Services is an integral part of the government's plan for real positive change.

**Mr Parsons:** I would agree that Dalton McGuinty's commitment to children could not be better demonstrated than through the creation of your ministry. My constituency office has received numerous contacts praising our government for this initiative.

Given that it's a new ministry, I would ask that you share with the Legislature what we can expect to see from your newly formed ministry over the coming years.

**Hon Mrs Bountrogianni:** My primary goal is to improve the integration of programs across all ministries.

Building a new ministry will take time. We need time to get it done right, rather than get it down quickly. Our plans will be thoughtful. I refuse to take any action that is impulsive when it comes to the best interests of children.



I will assume responsibility for all children's programs in the Ministry of Community and Social Services, such as Early Years, child care and children with special needs. I will be working closely with my colleague the Minister of Health and Long-Term Care to look at the programs in his ministry that affect the early years of children, as well as special treatment programs for children. I will also be working closely with the Minister of Community Safety and Correctional Services to transfer, by the new year, youth justice services for children ages 12 to 17 to the new children's ministry.

We will focus on helping kids get their lives back on track and become contributing members of society. Our government believes that if we invest in young people, the future of Ontario will be limitless.

### PROVINCIAL DEFICIT

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Premier, you've tried to express lately the sentiment that you're surprised that the province has a \$5-billion-plus deficit. But I read the remarks of your then finance critic Gerry Phillips on June 3, six months ago, where he was talking to the then Finance Minister. He says you've got to find \$2.2 billion in asset sales, \$700 million in in-year savings, \$620 million in lost revenue because the economy's not performing, \$770 million in federal health care funding, which may not come, \$800 million in SARS costs. Then he adds it up and says there's a risk of a \$5-billion deficit.

Now I turn to Erik Peters's document, and Erik Peters says \$2.2 billion in asset sales, \$700 million in in-year savings not found, \$620 million because of low economic performance, \$770 million in federal money that may not come, \$800 million in SARS costs. He adds it up and says it's \$5 billion-plus.

After Gerry Phillips said the same thing as Erik Peters, how can a \$5-billion deficit be a surprise to you?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I want to thank the member opposite for his question and I want to assure this member and all members of the Legislature that we will bring a responsible approach to dealing with government finances. That is why we moved so quickly to bring in an outside, independent, objective reviewer of the state of the government's books. We discovered at that point in time, and we made it plain and clear to all the people of Ontario, that the former government, the Tory government, saddled the people of government with a \$5.6-billion deficit.

**Mr Hampton:** But Premier, what Erik Peters told you is exactly what Gerry Phillips said six months ago, except after Gerry Phillips said it, you and your colleagues engaged in 231 big spending promises.

You were going to retain the hydro rate cap; there was going to be money for 8,000 new nurses; there was going to be money for schools; you were going to lower the tolls on Highway 407. Premier, you had to have known

that you couldn't keep any of those promises. My question is: Knowing, as you knew then, that there was a \$5-billion deficit, because your finance critic told you so, did you ever intend to keep any of those promises?

**Hon Mr McGuinty:** I want to assure the member opposite and all Ontarians that we will move as quickly as we can to implement our agenda for change. I want to remind the member as well about some of the things we've already moved ahead on.

We've stopped approving auto insurance rate increases—15 minutes after forming the government. We've announced that we will freeze tuition for at least two years. We have removed the supervisors from the Hamilton, Ottawa and Toronto school boards. We have established a new Ministry of Children's Services. We have appointed a Minister of Northern Development who is actually from the north. We have announced today legislation to eliminate the private school tax credit. We have announced legislation to roll back corporate taxes to 2001 levels. We are going to maintain personal income tax rates, and it goes on and on and on. We will implement our agenda for change.

1600

### OAK RIDGES MORaine

**The Speaker (Hon Alvin Curling):** Member for Oak Ridges, we'll allow one.

**Mr Frank Klees (Oak Ridges):** Thank you, Speaker. As the member representing the wonderful riding of Oak Ridges, I can't help but place this last question to the Minister of Municipal Affairs, because it relates to the Oak Ridges moraine.

I can't think for a minute that the minister would intentionally have tried to mislead the public by leaving the impression—

**The Speaker:** When we started today I heard about three or four of those kinds of comments. I would ask you to withdraw that comment.

**Mr Klees:** I'll withdraw that.

**The Speaker:** Just quickly to your question.

**Mr Klees:** I can't for a minute believe that there was any intention at all of leaving the impression with the people in this province in his announcement of November 21, where he refers to the creation of a bigger, better park on the Oak Ridges moraine, that this in fact is something that he negotiated on behalf of the people of Ontario. If it is, perhaps he's not aware that there was a 1,360-acre park designation in the original agreement that was negotiated by the former government. Perhaps he has negotiated an additional 1,400 acres, which means that we now have 2,760 acres of parkland. Can the minister clarify for us, did he negotiate a new bargain in the province of Ontario?

**Hon Mr Gerretsen:** What was negotiated was that an additional 50 acres of land would be added to the park, which represents the 900 homes that will not be built on the moraine so that the moraine can be better protected and the wildlife corridor will be larger than it was before,



especially in those areas around the two kettle lakes. That is the precise reason why the renegotiations took place and why this new deal, which is a much better deal than the bad deal that your government made, sir, was negotiated on these properties.

**The Speaker:** Pursuant to standing order 30(b), I'm now required to call orders of the day.

## ORDERS OF THE DAY

### INTERIM SUPPLY

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** Mr Speaker, government notice of motion number 1.

**Mr Peter Kormos (Niagara Centre):** Mr Speaker, in 15 years, I've never witnessed an occasion where, after the throne speech—

**The Speaker (Hon Alvin Curling):** Member from Niagara Centre, is this a point of order? I didn't hear you.

**Mr Kormos:** On a point of order, Speaker: Once again, I'm shocked: 15 years and I've never witnessed an occasion where the throne speech wasn't debated on the first day the House met after it was read. Did something screw up here? I don't understand.

**The Speaker:** Government House leader.

**Hon Mr Duncan:** Seeing that the speech was read twice, sir, we thought we'd move to interim supply today.

**Hon Gregory S. Sorbara (Minister of Finance):** I move that the Minister of Finance be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing October 1, 2003, and ending March 31, 2004. Such payments to be charged to the proper appropriation for the 2003-04 fiscal year following the voting of supply.

**Hon Mr Duncan:** On a point of order, Mr Speaker: I seek unanimous consent to allow the independent NDP members to have 15% of the time available for debate on the interim supply motion.

**The Speaker:** Is that the consent of the House? Agreed.

**Hon Mr Sorbara:** It is truly an honour for me to be beginning the debates in this House and to be doing so on interim supply. I should tell you, sir, that I remember back in 1985, the first year I was a member of this House, being here and hearing words like "interim supply," and what did that mean and how did it apply to the business of government, and my goodness, 18 years later I have an opportunity to be actually bringing forward the motion on interim supply and saying a few words about it.

Because there are a number of newly elected members in the House, particularly in the wonderful Liberal caucus, I might just say a word or two about what interim supply does and why it's such an important motion in the

overall operation of the financial affairs of the province. The standing orders provide that the government and its ministries can spend funds that are approved by this Parliament. Of course it's the very nature of a responsible parliamentary system that all taxes raised and all expenditures made are under the authority of votes that take place in this 103-seat Legislature.

There are a number of ways in which this Legislature approves expenditures of money. You'll remember, sir—I think it was back on March 26 this year in the previous Parliament—that the then government, under Premier Eves, brought forward a special warrant to spend some \$12 billion. That authority, coming from the cabinet, was actually only noted here in Parliament, and that was cabinet agreeing to spend money right through the summer period. It was our indication that the then government was certainly preparing for an election.

So special warrants approved by cabinet can give rise to expenditures, but the most important mechanism for approving expenditures in a global way is the motion on interim supply and, finally, before the end of the year, a supply motion that provides the money for ministries to actually make the necessary expenditures.

It's interesting that we're doing this today, because it was earlier today that I introduced a number of taxation measures that met the commitments we made during the campaign and, much more importantly, are very important first steps in this Legislature by this government to get our financial house in order. If there was one theme that was common in the speech from the throne, it was that we as a government—and the Premier has said it a number of times—are determined to fix the foundation, to ensure that this province is on a sound financial footing.

So today we brought forward a bill to roll back the corporate tax cut that the previous government had put into place. We brought forward a tax measure to keep personal income taxes at the rate that people are currently paying. We brought forward a measure to eliminate the private school tax credit that was the subject of so much debate over the course of the past two or three years and certainly during the election campaign. And we brought forward measures to simply repeal the seniors' education tax credit, a measure that was passed just before this House was dissolved and again was a matter that was subject to debate I think all across the province. So now we return here and we are taking the steps necessary to start to fix the financial fortunes and the financial foundations of this great province.

There was a lot of debate during question period and over the course of the past few days about the Erik Peters report and what he discovered shortly after the election. I think the best way to summarize what he discovered was that the province was not on a sound financial footing. The previous government, that had argued for eight years that they were the great financial managers, that they were the ones who were going to fix government, as they used to say, left office with as large a deficit as we have seen in Ontario for I think certainly the past five or six



years and historically forever, except a couple of years with the New Democratic Party when they were in power from 1990. Everyone remembers Bob Rae's first budget.

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Erik Peters had an independent look and said, "It's not just that there was a bad year because of SARS. It's not just that there was some economic turndown." And if you listened to his comments during his press conference particularly, he said that the previous government really had to use some innovative methods in order to even suggest that there was a balanced budget for the current fiscal year, 2003-04.

During my response to Mr Peters's comments, I described that we had seen, at least in the current fiscal year and over the course of the Conservative government's time in power, two things: mismanagement and misrepresentation.

As we start our turn as the government party in Ontario—

**Mr John R. Baird (Nepean-Carleton):** On a point of order, Mr Speaker: I would ask your ruling on whether it's fair and appropriate, given your comments before this debate—whether you accept the word "misrepresentation," where one member would accuse other members of misrepresentation and if that would be parliamentary.

**The Speaker:** I looked up when I heard the word "misrepresentation," and I'll ask him to withdraw that.

**Hon Mr Sorbara:** Mr Speaker, I am simply quoting words that I used in another venue. We needn't get into that here.

**Interjection:** He's challenging the Chair.

**The Speaker:** Would you withdraw the statement?

**Hon Mr Sorbara:** Yes, I will, sir.

As we start our period of being responsible for the public life of this province—its laws, its expenditures, its policies, its development—I think our commitment is to ensure that we do a better job in that regard. That's why the Premier has said on a number of occasions that it's not quite the job we applied for but it's the job that must be done first if we're going to be in a position to achieve all of our objectives: building stronger communities, expanding the strength of our public education system, creating a better health care system in the province and cleaning up our environment.

One of the expressions that I used during the course of discussions on this same matter is, "You have to play the cards that you're dealt." The cards we've been dealt weren't quite the ones we were expecting, but we're ready to take on that challenge. If I can tell you, sir, the mood I feel when I talk to my colleagues in caucus is that it's kind of an exciting challenge because it demands that we work even harder, it demands that we be even more careful in the way we spend taxpayers' money and it demands, in the end, that we be open and straightforward and give the people of Ontario the straight goods about what we're facing.

So today we brought in some measures in the Fiscal Responsibility Act, 2003, that fulfill our commitments on taxation measures that we talked about during the

campaign. Today we introduced a bill to raise tobacco taxes. That bill is designed both to reduce the number of smokers in Ontario and to ensure at the same time that we don't encourage a new underground industry in tobacco smuggling and illegal tobacco sales. And today we introduced measures to get rid of a number of tax credits that certainly were not in the best interests of the people of Ontario.

But that is simply a first step. As you heard the Premier say on a variety of occasions, we need to now undertake a very extensive consultation with the people of Ontario as we move forward to our first budget. It's really in our first budget that we will be able to start to lay the new framework and the new structure for a better Ontario in all the areas that we talked about during the campaign.

Meanwhile, it's kind of a tradition in this House during debates on interim supply that you allow a little bit of leeway among speakers, and I know we're going to hear that from members opposite.

I just wanted to take an opportunity, while we're talking under this motion, to say a few words about what happened during the election campaign and how proud we were of the 103 candidates who stood for us during that campaign. I want to put on the record my congratulations to all of them and the 72 of us who succeeded in our ridings.

I also want to say a word about the campaigns of the other two parties in this province—the other two major parties. I'll get in trouble if I don't mention the Green Party. They were there as well with 102 candidates. I thought overall we all served the people fairly well in the election campaign. In the heat of battle, yes, some words one might regret now and again are spoken, but I think we measured up. There is my friend from Trinity-Spadina kind of chuckling. I predicted a different result in his riding, and as a partisan I would have preferred a different result in his riding, but I look forward to his contributions over the course of the next four and a half years or so. But all in, I think we engaged the province in a healthy and strong debate about the future.

It was, I think, for us very encouraging that the options that the Conservative Party, the governing party at the time, was offering the people in the form of both lower taxes and better government services certainly lacked a great deal of support, not to say credibility.

I remember, from the day it was launched, the public power campaign of the New Democratic Party. I think they carried themselves well in that debate, but the results made it relatively clear that simply transferring over to the public sector, to government in one form or another, the re-creation of Ontario Hydro, the new attempt at public auto insurance, wasn't quite what the people were looking for in the next generation of public policy. But the message was carried clearly, and I congratulate the—well, I can't say that, but I want to congratulate the leader of the party for a good campaign, and congratulate the former Premier and his party for the work they did during the campaign.



The results are now in, and we are delighted that we have received such strong electoral support from the people. As we begin to vote supply in this House, to provide the services and pay the bills one by one, as they come into the treasury, I just think it's worth noting that what really happened on October 2 was the celebration once again of our democratic system.

I see the member from Niagara Falls is in the House—

**Mr Kormos:** Niagara Centre.

**Hon Mr Sorbara:** —and we look forward to his remarks. I take it you're speaking on interim supply, I say to my friend.

Just in winding up, sir, I want to congratulate you for your election, and the members who have been elected to this Parliament for their election. I look forward to listening to the comments of a variety of members on interim supply.

I want finally to say how humbled I was when my colleague the Premier asked me to take on responsibilities as Minister of Finance. It's not going to be easy. We are going to have our challenges meeting our responsibilities. But for our part, if we all try to work together in a way that perhaps we haven't before, I think we can meet those challenges and have a marvellous four years here together.

**The Acting Speaker (Mr Bruce Crozier):** The member for Nepean-Carleton.

**Mr Baird:** Mr Speaker, as I said at the outset, you look good in that chair. We haven't seen any motions yet, but it would certainly be a good choice if there was a motion presented with respect to your additional responsibilities.

This is a vote on interim supply, and as the Minister of Finance said, it is a fairly wide-ranging debate where you can talk about issues as they affect the government and as they affect you in your constituency.

1620

I did want, at the outset of my remarks, to just thank the people of Nepean-Carleton for their strong support on election day and over the past eight years. I was very fortunate to get support not just in Nepean, which I've represented for eight years, but particularly in Carleton, Osgoode, Rideau and Goulbourn townships. I say this to many of the new members of the government: It is perhaps easy to come in on a tide. You truly realize how fortunate and privileged you are to serve your constituents, your neighbours, your friends and your family when the tide goes the other way. I've been very grateful for their support. I wanted to acknowledge that in this, my first speech following the general election.

In my constituency, we talked a lot about important issues with respect to public expenditures, particularly issues in health care and education. We talked a lot about economic development, job creation, growth and taxes, and what it takes to help create an environment that encourages job creation and economic growth. We can't accomplish anything as a province if we leave people behind. We can't accomplish all we need to accomplish if we don't create jobs and allow people to provide for

themselves and their families. That's something that's important. When we do create jobs and bring in more additional revenue, we can support priorities like health care and education.

One thing I said on election night was that I wanted to be a forceful and strong advocate for people in Nepean-Carleton and in Ottawa and eastern Ontario and that I wanted to hold the government of the day accountable but that I also wanted to stand up and agree when the government does some things right.

I was privileged to be at the Royal Ottawa Hospital on Friday, where there was a huge amount of concern that the private arrangement would be cancelled. I was pleased, along with my colleagues on the other side of the House—Mr Lalonde, who's here today, was among all the Ottawa members who were there—to see that project go ahead; I was worried that it wouldn't. My colleagues—Norm Sterling and others—certainly worked hard in recent years to see that proposal come forward. George Langil and his board of volunteers and the entire team at the hospital really put together a good proposal. A huge amount of effort had gone into that. I was pleased to see that go forward.

Small changes were made. The deed for the hospital will be kept in a different safe, and there will be a 100% mortgage in the other safe. Other than those two pieces of paper, it's exactly the same sort of deal that we had envisaged.

The Premier did say that he wanted to end the creep into two-tier medicine. Well, of course, nothing was changed with respect to clinical services. The hotel-type services—who would plow the snow, who would mow the lawn, who would physically build the building—are going to be done by the private sector. The clinical services, the health care services, are all, just as they were under us, going to be provided by the medical team at the hospital.

Someone asked me what the difference was between the deal that Dalton McGuinty announced and our deal. There was a big difference, to be fair. The Liberals' announcement had red letterhead and ours was blue. That was the big difference with it. Some say "po-tay-to"; Dalton says "po-tah-to." Some say "to-may-to"; the Liberals say "to-mah-to"—as long as they don't call the whole thing off. That's about the thrust of the difference at the Royal Ottawa.

Two other important institutions that I'd worked hard on that are important priorities for people whom I speak with and represent are the Ottawa Civic Hospital and the Queensway-Carleton Hospital.

I did hear a terrific amount of interest from Liberal candidates talking about Ottawa being chronically underfunded with respect to the rest of the province on health care. I look forward to the Minister of Finance trying to correct that situation tomorrow afternoon. There's another area where I will stand and forcefully support the government of the day. I didn't think it was terribly underfunded, but every Liberal candidate in the area said it was. This is one of the benefits of having a Premier



from Ottawa, we hope, because there are some of us who are concerned that having a Premier from Ottawa might be like the teacher having their own son or daughter in the class: that they're going to be twice as hard on them. We'll look closely at future health care announcements.

The Queensway-Carleton Hospital is just on the border of the member for Ottawa West-Nepean's riding and my riding. We'll work closely on a non-partisan basis to try to ensure that goes forward.

I was concerned with one of the actions that this government took when they fired the supervisors eight days before their term was up. I say to the member for Trinity-Spadina, that's tough, being fired eight days before your contract is up, but they did it. I want to watch very closely to ensure that the new schools that were promised go forward. Growing communities like Stittsville in my part of the province need a new public elementary school. They need it desperately. Whether people are for or against the actions of trustees, some students and parents have been left as pawns, and that's, simply put, unacceptable.

There is also a growing need for new public elementary schools. The supervisor actually installed a sign at a specific site which he wanted to go forward with, and there's certainly nothing wrong with the board going forward with the construction of three new elementary schools in the growing areas while they conduct their review of optimizing the use of space. I'll support that when they do, if they have to make difficult decisions to close a school. One of the schools they're looking at is the school I voted at on election day in my community. We'll certainly look for a fair and reasonable accommodation on that. That's the voice that the people of Nepean-Carleton wanted me to take to this Legislature, so I would be remiss if I didn't underline those concerns.

I listened with great interest to the Treasurer and to the Premier in recent days talking about how this government is going to do the responsible thing. Doing the responsible thing seems to mean, first and foremost, throwing out any campaign promise that you had made or any promise that you had made in the previous four to eight years. I have to ask myself, if it's not responsible to do it in government, was it any more responsible to make that commitment prior to an election campaign? I'm not going to imply a motive. Some would say the opposition was being reckless. Others, like the Minister of Municipal Affairs, used the word "naive"—his word, not mine. Others would say that perhaps they hadn't put as much thought toward their campaign commitments. Others would suggest another motive: that we would return to the days when politicians made promises to get people's votes and then didn't deliver them on election day.

One of the proudest moments I had as an MPP came in my first term when a woman who had quite actively campaigned against me in the previous campaign, my first election, came up to me and said, "I don't agree with anything that you and Mike Harris are doing, but I'll give you the credit: You're doing what you said you would

do." Mike Harris brought forward an election platform some 12 months before the election campaign began, put forward specifics on what he would do, how he would do it, when he would do it, how he would pay for it. Then he did something remarkable: He kept his promises, where too often what we're seeing is this government abandoning promises.

I see my friend the Minister of Energy. I actually talked to my friend the Minister of Energy and said that that would be a good job to have some six or eight months ago. He didn't share my enthusiasm or appreciate the wisdom of that advice, which I'm sure he now is. Erik Peters presented a report at 4 o'clock. Before 5 o'clock, the Minister of Energy had dumped the Liberal campaign promise to cap electricity rates—within an hour. I thought: Was the caucus involved in that hour? Was there a caucus meeting? Did they have one of these cabinet committees, which all Liberal MPPs sit on? Did they have a chance to voice their opinion? Did the cabinet meet at all? Did anyone meet? Was anyone consulted on breaking a pretty fundamental promise in the Liberals' campaign plan?

People say, "Well, this is just something in a campaign document." I say no; it wasn't. This was something, as the member for Trinity-Spadina knows, as the member for Simcoe North knows, that was in not just the election campaign platform; it's something they voted for, not just on first reading, on second reading and on third reading. They didn't stand up once but twice and three times—every member of the Liberal caucus who showed up, not a single dissenting voice said they would support price caps until 2006—rather, a fixed price is probably the better terminology for it.

1630

Let's put aside the issue of whether it's a good idea or a bad idea. It was certainly a good idea when you were looking for votes at election time, when you approached that agricultural producer, when you approached that small business person, when you approached that low-income individual, when you approached that working family with six kids. It was good enough to say that you would keep the electricity rate cap then, but less than an hour after a financial report came out, without any consultation to the Liberal caucus, the Liberal cabinet committees or the Liberal cabinet, they changed their mind.

I look in the Peters report. What does he say? He says, first, "I express no opinion on the actual deficit." That's what Erik Peters says. Page 1: "I express no opinion as to what the actual deficit for the year ending March 31 will be." He's expressing no opinion, because he says there's not a deficit. He says there is a projected deficit.

Commitments were made. Chair of Management Board was rather uncomfortable in his chair today, I say to the member for Trinity-Spadina, and very irritable when the leader of the third party—or the independent member for Kenora-Rainy River, lest I offend anyone—said, "What in the Peters report did you not know about? Did you not know that the price cap had gone into a



deficit?"—it did; I've got the scars on my back from Liberal members who used to ask me questions about that. Did they not know about the \$2.2-billion asset sales line? Did they not know that there was an economic impact of SARS or BSE or of the blackout? In fact, is there anything in the Peters report that wasn't known? The answer, simply put, is no. There's nothing in the Peters report whatsoever that would be a surprise to anyone, least of whom the very well-respected Gerry Phillips, whom I do respect; I think he's an honourable member. He's smart. He was one of the more responsible spokesmen for the official opposition in the last Parliament. I've said that before and I'll say it now: I respect Gerry Phillips. I'm not just saying that to be politically trite; I genuinely do. But there is nothing in that Peters report that is a surprise to anyone; absolutely nothing.

One has to ask oneself, is there any desire whatsoever for this government to take any responsibility for the financial circumstance in which we find ourselves? It's not the job that they applied for. Those weren't the cards they were expecting to be dealt. Could you imagine if you went to Las Vegas and said, "Oh, I'm sorry, those aren't the cards that I was expecting. Can I get new ones?" It wouldn't happen.

This is the man, this Premier, who went on Studio 2 and said, "Don't worry, Paula Todd. We're budgeting for a \$2-billion deficit. I have an extra billion dollars in a contingency fund to deal with any unexpected costs." There's \$3 billion. Did the Treasurer reduce that projected \$5.6 billion by \$3 billion? No, he hasn't, because an orgy of new spending is just around the corner. They want to be able to grease the skids and pay for breaking other campaign promises, like the one on the Oak Ridges moraine where the Minister of Municipal Affairs was sent out by the Premier and his cabinet up to Richmond Hill—and I feel badly for him; he got beat up bad. He said that his own Premier was naive. No wonder they scheduled three other press conferences in the same hour, hoping that no one would show up for the press conference. I think it's regrettable that they put Mr Gerretsen in that position. But there you have it. So it wasn't responsible to keep their campaign promises.

I say one was either reckless or negligent in making such promises. I think it looks eerily similar to a return of telling one thing to voters to get their votes with no real intention of ever keeping them. That's sad.

I look back at the speech from the throne, and I can only imagine if Mike Harris had told nurses, doctors, police officers, firefighters and community health centres to temper their demands. Can you imagine the comments that would have happened if Mike Harris had told people to temper their demands, when it was Dalton McGuinty and the Ontario Liberal Party who got these people all lathered up? My good friend Hazel McCallion said, "When does the money start to flow?" That was her only question.

**Mr Rosario Marchese (Trinity-Spadina):** Soon.

**Mr Baird:** No. Hazel has been told, "Temper your request."

**Mr Marchese:** Later.

**Mr Baird:** Later.

**Mr Marchese:** It's coming.

**Mr Baird:** Four or five years; 10 years. It's just a question of timing.

They did keep their promise on the electricity cap for seven days. They became the government on Thursday. They didn't get rid of it for seven days.

The little children, the little people, the people without a voice, the little people who expected smaller class sizes this year or next year—no. Mike Harris only had one policy when it came to children; that was, summed up, "You leave no child behind." We heard the Minister of Education say we'll leave 5% of children behind. "I know we said a hard class size, but it's not that hard; it's malleable, flexible." So there will be some 23,000 children around the province who will be left out of this class cap. I can only assume that a surprised Premier McGuinty—he was surprised. Did you see him on TV after that? He was surprised, I say to the member for Cambridge, when he learned that his Minister of Education—now, maybe he's been taken out to the woodshed and his views have been changed and corrected; the evil Liberal spin doctors have done a little operation, made an adjustment in his spine.

They said they weren't going to build a whole new school for one person. I was saying that if you were going to do it in the Ottawa public board alone, it was going to mean 200 more portables. But they didn't budget anything for that, so the parents of these little children are being told, "Temper your demands." We didn't make the irresponsible campaign promise. We didn't say one thing to people before the election and another thing after the fact.

Then this line: "This is not the job we applied for." We thought everything was supposed to be rosy. Right, Rosie? Everything was supposed to be rosy. The pastures would be green and everything would be well. That was something. But the Treasurer, the Minister of Finance, says they're up to the challenge. Good news for Ontario: They're up to the challenge. They're not going to do anything on the \$5.6-billion deficit. They've got a whole six months and they're not going to do anything on it, so one has to wonder whether they're up to taking on the challenge.

Then we had this great piece of legislation tabled today. I don't know about you, but I watched these commercials on television. My friend Yak, my good friend John Yakabuski, the member for Renfrew-Nipissing-Pembroke—

**Mr Marchese:** A hard-working member.

**Mr Baird:** —a hard-working member whom I had the chance to campaign with, his constituents probably saw all of these television commercials where Dalton McGuinty looked people right in the eye and said, "I'm not going to raise your taxes. I'm not going to raise your taxes." There was no fine print on the end. There was no little asterisk. Perhaps we should have a law like we have for pharmaceutical companies, where they've got to tell



people who have to get their liver tested or have to get their blood work done, "It's not applicable if you're pregnant or nursing," or this or that. But he looked right into the camera and said, "I'm not going to raise your taxes."

Then today we get a bill, and look what it says. They're going to raise the general corporate income tax rate. When we're fighting to get General Motors to put a line in Oshawa, or Ford in Oakville, taxes will be higher. That will be bad for the auto parts sector.

I look at this part here, the Income Tax Act. They're repealing decreases in the lowest and middle tax rates, repealing tax cuts in the lowest income tax rates. No wonder they're going to be able to increase welfare rates; no wonder they're going to be able to increase the minimum wage. They're going to be taking from the left pocket and putting it in the right pocket. I know some Liberal candidates said, "Oh, no, those are just tax cuts for big corporations." But right here in the compendium that I received, it says they're going to be repealing tax cuts "in the lowest and middle tax rate." They're going to whack modest-income families, they're going to whack the middle class, and that's where they're going to get the money for their payoffs to the union bosses and others.

1640

They're going to repeal the equity in education tax credit retroactively—it's a retroactive tax increase—not by a few days or a few months, or not effective today, the day they tabled the legislation; it's going to be retroactive 11 months.

I ran into a constituent during the election campaign and I said I would tell this story. He told me it was tremendously important for him and his parents that his parents' grandchildren be educated in a cultural environment that would respect their family's religious traditions and obligations; how important it was for him. He said, "You know what, John, we could never have done that unless your government had kept its commitment to fair funding to the Catholic school system." He happens to be Catholic, so the taxpayers will pay for his child's education. But to his next-door neighbour, who just wants some equity, who wants to send their child to a Montessori school or Christian school or Jewish parochial school, the answer is no. Some parents and working families were actually counting on this tax credit this year. We learned today that it's not only being cancelled but—something that's quite unprecedented—they're actually retroactively raising taxes by 10 and a half months, almost 11 months. I think that's outrageous. In committee we're going to fight to get that changed because it's wrong. Retroactively raising taxes is not a good idea.

We look at other changes. I said I would say good things when the Liberal government presented their bill that proposes to extend the Retail Sales Tax Act to allow rebates of the provincial tax for appliances that are energy-efficient. They're going to extend that until March 31. I support that. I think it's a good idea and I want to congratulate the government for doing one thing right in this bill.

They're also going to increase tobacco taxes to 74%—a 74% tax. If this was such a good idea, if it's no problem, why wouldn't you tell people, "We want taxes on cigarettes to be 74%" before election day? Why wouldn't you—

*Interjection.*

**Mr Baird:** I saw Dalton McGuinty on TV, I say to the member for Glengarry-Prescott-Russell, saying, "I will not raise your taxes." There was no little asterisk that said "except on tobacco, where I'll send it up to 74%." It wasn't there—maybe for those people who know. It was not in the commercials that you spent \$5 million running. There was nothing in the platform to say, "Hi, I want to raise taxes to 74%." If it was such a good idea, why wouldn't they say so before election day? It wasn't in the TV ads.

*Interjection.*

**Mr Baird:** "We got elected," they say, so they have a mandate to do whatever they want. I would encourage you to have the courage of your convictions, to tell the voters before election day, "Hi, I want to raise your taxes on cigarettes to 74%." I don't know of any tax rate that's at 74%. What Bob Rae found out when he raised taxes on tobacco was that he brought it less money, because as my colleague from the neighbouring constituency—whom I've not had the chance to meet yet—has said, there was a huge smuggling activity.

We saw the member for Don Valley East, David Caplan, trying to smoke in the opposition lobby. One of the staffers said, "This affects my health. Get out of here." He said, "No. They won't let me smoke over there." I thought it was a shock. I was shocked. The health and safety of staff on our side of the House—I was glad our House leader Bob Runciman got up on that important point of privilege. If anyone from Mr Caplan's office or constituency is walking in the opposition lobby, it's a Caplan-free zone. You're not allowed to smoke in there.

**Mr Kormos:** What the heck are they doing in the opposition lobby? They're not allowed in the opposition lobby.

**Mr Baird:** They're not allowed in the opposition lobby, my friend from Niagara Centre says. This is a government—

**The Speaker:** I would caution the speaker about using personal names. You can refer to the minister or to his riding. Thank you.

**Mr Baird:** I said Welland-Thorold. I don't want government members smoking in the opposition lobby.

**Mr Kormos:** What the heck are they doing in the opposition lobby at all?

**Mr Baird:** I say to the member for Niagara Centre that this government thinks they are the opposition. They don't negative-campaign before the election; they negative-campaign after the election. In week one, they whacked the NDP; in week two, they whacked the Tories. I felt badly for the Lieutenant Governor in this place, giving the most partisan speech ever presented by a Lieutenant Governor.



*Interjection.*

**The Acting Speaker:** If the member for Niagara Centre is going to heckle, he could at least take his chair.

**Mr Baird:** The one thing that's good about this session is that later on today members of this Legislature and those folks watching on TV are going to get to hear from the member from Barrie-Simcoe-Bradford, after the next rotation. They'll listen and they'll learn. I can see the member for Hamilton East has shown up to hear the member's speech. He'll learn something. I look forward to hearing his speech and the speeches of other colleagues.

**The Acting Speaker:** The Chair recognizes the member from Trinity-Spadina.

**Mr Marchese:** First of all, I want to welcome back the citizens who are watching the parliamentary channel. We're on live. It's 10 to five or a quarter to five. You'll be seeing more of us.

We New Democrats are happy to have the opportunity to engage in this debate.

**Mr Dominic Agostino (Hamilton East):** What did they do to deserve this?

**Mr Marchese:** Say that again, Dom?

**Mr Agostino:** What did they do to deserve seeing more of you?

**Mr Marchese:** From me, Dominic? You'll hear more from me. Please stick around.

**Mr Agostino:** It's always a pleasure to listen to you.

**Mr Marchese:** I'm glad to hear you say that, Dominic.

I want to say first of all, to the Minister of Finance, that I declare myself to be friendly to him, if not a friend of the minister, and anything I might say is not a reflection on him but on the Liberal Party generally. I wanted to have that proviso before I spoke and said something critical. I didn't want people to think that somehow I was critical of the Minister of Finance *per se*.

I want to say that the status or lack of status we have in this place must have been very hurtful to many of the left-leaning Liberals in that party and to New Democrats who voted for Liberals, thinking maybe they were doing the right thing in supporting them to get rid of the Tories, only to discover that in the process of doing so we might have lost some New Democrats along the way, and having lost some New Democrats would lose our status, the implications of which we are witnessing now.

If it were not for the motion moved by the Liberal House leader to afford us a couple of minutes to have this debate—he's given us 15 minutes, God bless him—we wouldn't be able to speak in this place. Are the Liberals not very nice to allow us today to have a couple of minutes to be able to respond? I say yes. But by not having status, we do not get to participate in the way we did. We do not get the opportunity to respond to ministerial statements as we did. We don't get the opportunity to be adequately participating in committees as we would like or being able to present statements in this House on a regular basis.

There are a lot of things we can't do, including not having any financial support for us to operate as a

political party, meaning no researchers, no ability to outreach, very little ability to communicate by way of flyers or newsletters to the public all over Ontario. It's a big province, three times bigger than Italy. So we lose a lot by not having this status.

I can't imagine how many of those New Democrats who voted for the Liberal Party to get rid of the Tories feel today to have done that dirty deed. I am assuming they are unhappy to have done that and hope they would not vote strategically ever again.

Citizens watching, we have lost a lot by losing two New Democrats and losing status in this place. We hope that through the pressure you've put on the Liberals there is still room to negotiate something fair so that we can represent the 15% of you who voted for us, because that's what this is about: being able to give New Democrats a voice so we can give a voice to those who supported us and to those who didn't support us but need and want to hear New Democratic voices in this Legislative Assembly. So thanks to the Liberal House leader for presenting a motion that allows us to participate.

I want to say, before I attack the Liberals, that I am no friend of the Tory policies, and never have been. While the member from Nepean made some points that I am much in agreement with, what the Tories have left us, and what they have left us for eight years, is nothing to be proud of.

1650

The deficit the Tories left is real. It may not be as the Tories would like it and it might not be the \$5.6 billion that they argue, but I'm telling you, the deficit was big, and it's for real. The reason it's real is because of their income tax cuts, that benefited largely the wealthy Ontarians in this province and benefited the corporations in this province, as a result of which we have lost anywhere from \$11 billion to \$14 billion and our ability as a province to be able to deal with the services that people desperately want to have. So this legacy of the Conservatives is nothing to be proud of. I attacked that as much as Liberals did when they were about here—Dominic, when you were so close to me.

We attacked it in a very similar way—differently here and there, of course, but we attacked it nonetheless, because the policies of the Conservative Party were bad, destructive—economically and socially destructive. We will not be able to regain the income tax losses we've had, largely because the Liberals have made a pledge not to increase taxes.

Here's my attack: I said to the Liberal Party and to the people that I debated, which includes Monsieur Kennedy, the now Minister of Education, and Monsieur Smitherman, who I had occasion to debate on channel 26, counterSpin, I said to both of them, "You can't keep your promises. You simply can't. You know that there is a deficit." Gerry Phillips knew there was a deficit, estimated to be anywhere from \$2 billion to \$4 billion that we were aware of. Given the reality of a deficit that you Liberals knew was there and your promise to increase services anywhere from \$5 billion to \$7 billion, and your



promise not to increase taxes and signing a pledge to that effect, and also saying that you could balance the budget—it was reckless. It was stupid. It could not be kept and we knew it, and we told you. Monsieur Smitherman, the now Minister of Health, literally mocked me on channel 26 when I told him that, and said, “No, we’re going to keep our promises.”

It didn’t take much for them to break that promise. That’s what’s sad: that you knew then you couldn’t do it, but you thought you could get away with it. So you now come into this place—leader, Treasurer and all—saying, “We must act responsibly. These are the cards that we were dealt,” as if they didn’t know what cards they had to give us before the election, “so now we have to act responsibly, carefully, of course, because we simply can’t allow the deficit to accumulate in a very dangerous way. That cannot be permitted by Liberals.”

So it’s sad. It is pitifully sad. We hope that as the government speaks about character education, you will do as our leader said and you will include in that character education, as you send that off to our school board, that politicians must tell the truth all of the time. That ought to be one of the principles that you inject in that character education, because if you do not do that, you perpetuate the problem of mistrust of politicians.

It is so difficult, from now until the next four years, to be able to trust anything you say, given that you’ve broken so many promises. And it’s going to be so difficult for New Democrats to be able to have the fullest of time that it takes to articulate each and every one of those broken promises. It’s for that reason that I must end my remarks in order to give my colleague from Timmins-James Bay the time to be able to participate, if only but a mere six minutes—a mere six minutes, and I’m going over my own time.

Citizens, we will have barely the time to be able to adequately respond. We hope that you’ll continue to pressure the Liberals, saying you want New Democratic voices to be heard. I hope you do that.

**Mr Ernie Parsons (Prince Edward-Hastings):** It’s a pleasure to speak to this bill. This has been a very interesting first full day back in the Legislature.

There have been some comments made from members on the two ends of the other side that have been very interesting. The group in the centre has been extremely positive and that’s been good. Some of the comments that have actually come from the members over there amaze me.

We’re hearing some derogatory comments made about the throne speech. I would suggest the throne speech is somewhat different from other throne speeches. It was very open; it was very honest. It included a commitment to consult, and if there was anything that this province suffered from over the last eight years, it was the inability of its citizens to give input into some extremely meaningful decisions that were going to be made. I think the mark of the previous government was a lack of consultation. So to hear that commitment in the throne speech was very encouraging.

There was reference made by an honourable member from the other side to what they believe was inappropriate when the Premier said that we need to temper demands. Well, again, I applaud that. I think it’s a recognition of the situation in Ontario.

I can think back to previous elections, and if we go back to 1995, I don’t believe the Leader of the Progressive Conservative Party at that time ran an election platform on closing hospitals. It wasn’t very long after the election that they started to close hospitals, but there was no mention of that in the election platform. There was no mention by the Premier at that time that he was going to fire nurses, and yet we saw 10,000 nurses fired. So the criticism that we have not yet delivered on our promises becomes rather absurd when we look at the promises that were never made that were delivered on.

Everybody wants Ontario fixed. So I find it particularly challenging when it’s a previous government member saying, “Fix it right now,” when they contributed heavily to the problems that exist. We want to fix it now; everybody in Ontario wants us to fix it now. But I would suggest an analogy. We have a five- and a six-year-old at home that, quite frankly, keep me feeling very old most days. I notice that when the two of them go into their bedroom, in about five minutes they can do enough damage in the room that it will take me an hour to an hour and a half to straighten it back up after they’ve been at it. We’re in a similar situation as government. We have got to fix what were unplanned, poorly thought out, ill-conceived, concealed changes that were done to the very fabric of Ontario over the last eight years.

That’s not a great welcome to the new members on the official opposition side, but welcome to the Legislature, and welcome to our own new members. It’s rather an awesome sight to sit here at this end, actually, and look down at the numbers in this room. Very clearly, people in Ontario re—I’ll try that again. I’m an engineer; I do well to speak English as a first language. I won’t even try “repudiated” again, because I probably can’t say it. People in Ontario very clearly wanted to change and felt the direction we were going in was very, very wrong.

I have been told, and I’ve not had the pleasure of experiencing it, that there was an era, an era that lasted many, many years in this Legislature where, although we differed in our beliefs and our philosophies, there was a friendship that could exist outside of the House. We really and truly all have come for the same reason. I believe that. We may have different beliefs about how it should be accomplished, but I really do believe that we have come for the right reason, each and every one of us.

But when I talk to a former member such as Sean Conway and he recounts how the members interacted and socialized outside of the Legislature, how when we broke for a dinner break that it didn’t matter which caucus room you went to, that you’d go and sit down with a caucus member from another party in dialogue, I felt, “What a wonderful era for the people of Ontario, that that could happen”; that over a very informal coffee or dinner you could chat or whatever. We’ve lost that. Certainly in



my first four years here I never saw it happen. I saw us function as quite distinct parties and I think the people of Ontario lose when that's the case. So it is my hope that we can see a return to working together for the same common cause.

1700

We do that by recognizing that we're servants. None of us individually has power. Any power that we do achieve only happens when more than half of the members in this House agree with us. We need to remember that we were sent here to do what is best for all of Ontario.

I'm thrilled with the throne speech language and the change. Because over the last eight years, I've seen a splitting apart of Ontario. I've seen eight years where teachers were the enemy of Ontario. What a shame that we would be ashamed of our education system, which the rest of the world covets. Teachers were identified as the enemy, and they were not. Nurses were identified as an enemy, and they were not. I think about the language that was used over the last eight years regarding young people, where we talked about boot camps and tougher discipline and zero tolerance and we didn't talk about the 98% of really good young people who do wonderful things for us. I see in the throne speech a return to the fact that we're all equal in this province and work together on it.

It has been very difficult, over the last eight years, to get information to truly assess what the situation was. The official opposition has challenged us on, "You knew this and you knew that." Well, folks, when they were in government they put up every obstacle they could to us in the public getting information. If an MPP over the last eight years requested an item under freedom of information, it was pulled out of the normal stream and funnelled through the Premier's office and delayed for five or six months. There was an obstacle put up to that.

Privatization: we've seen privatization agreements take place over and over. They removed contracts from the public domain and removed the ability of our party, when we were opposition, to get all of the details and facts to know what was coming on. The nerve, to challenge the Minister of Municipal Affairs over an issue that very clearly was done with private deals with developers that were not available to the minister or the Premier or to this party until after the election. No one dreamt that the government at that time looked after their friends as well as these agreements did. The situation was created to prevent there being undoing and unwinding. I applaud the Minister of Municipal Affairs for the accomplishments that he has made that will increase the amount of parkland, that will decrease the number of houses on what is very clearly a very sensitive piece of property that provides clean drinking water to a tremendous number of individuals in Ontario.

We saw the previous government eliminate civil service positions and replace them with high-priced consultants, falling into the private area that again made it very, very difficult for this party and for the people of

Ontario to know the situation. It turns out we had lots and lots of people who were allegedly consultants but in fact were doing regular civil service work, only they were doing it for four or five or 10 times the price that it would have been done for by civil servants. It created the statistic that could be flouted that this government had fewer civil servants, but in fact they were spending more money on private consultants, and in many cases untended private consultants.

Now we have a bill before us, an interim supply bill, to approve to pay civil servants' salaries. What a web has been woven financially, starting with the budget—or I'll say so-called budget, because as we now know it wasn't a budget, presented at Magna, rather than here in the Legislature—and hearing at that time that the previous government took it to the people, when in actual fact, had it been presented here, I see all kinds of space that the public can't be denied coming in. At Magna, there were security guards to make sure the general public didn't go in, again, along the tone of secrecy and lack of consultation that existed over the last eight years.

To this point, the bills have been paid in this province on what's called a warrant. Vast sums of money have been spent by simply having some government ministers at that time sign a document that wasn't open to public scrutiny. We have a tremendous role, as people who will determine how the public's money is spent, and the obligation is that it be spent efficiently.

The throne speech made reference to public consultation starting in January. The previous government did public consultation by invitation only. What a great thing is going to happen out of this, that the people of Ontario will truly be able to give suggestions. Not all wisdom in Ontario rests in this chamber; we have a tremendous resource of people in Ontario who can make meaningful, positive suggestions.

I look forward to what I believe will be a new era of openness, of honesty. The people may not like what they're being told, but they will be told what is true. I believe that people in Ontario are smart and they will understand that we will do what we have committed to do, but given what we inherited from the previous government, there will be some time required to do that. The kids messed up the room and we're going to fix it.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm very pleased to join in the debate today and I want to start off by thanking the constituents in my riding of Barrie-Simcoe-Bradford for re-electing me to a third term. I'm very pleased to serve in the House.

I just want to also mention to the member from Prince Edward-Hastings that if he does want to share a meal with us we're certainly pleased to do that. We'll come to look at your caucus any time and see what you're being served—probably better than the opposition members. So I'll take that as an invitation.

**Mr Parsons:** I'll be there.

**Mr Tascona:** OK. We'll be looking for you.

I just want to comment on a few things. Certainly in my own riding there are issues. Before the election, the



provincial government had made a commitment to extend GO Transit to the city of Barrie, and where it stands at this moment is that the city of Barrie proper, which owns the rail line from Bradford-West Gwillimbury to Barrie, has not made a final decision with respect to their participation in that GO Transit. With the new council being inaugurated on December 1 and with a number of new members on that council, including the mayor, Rob Hamilton, we would be hoping to see the city of Barrie move in the direction of making sure that GO Transit is something—and the citizens of Barrie, I do know, want it, and that the city of Barrie council will endorse that.

Obviously, with the vast growth that's in my riding, we have great challenges with respect to health care. The Royal Victoria Hospital, which was first built in 1997, needs to be expanded. There was a government commitment with respect to cancer care and for radiation care. Those are things that we're looking to build on in terms of the commitment with respect to health care. I know the governing party now has indicated that they're in full support of improving our health care system. Well, in my riding of Barrie-Simcoe-Bradford, we need more beds with respect to providing the health care for a rapidly growing area and an area that serves the cottagers who come up almost every day and people go up north to vacation. I would put that to the new government's agenda to make sure that they look after the health care needs, whether it's in a member-held riding or a non-member-held riding, because it's important to serve everyone in this province in terms of providing better health care.

Certainly, long-term-care beds is a major issue throughout the province, but particularly in my riding because of the growth. So I'm pleased to see that the Minister of Health will be coming to my riding on December 5 to open Victoria Village, which is a state-of-the-art facility to serve seniors. He'll be very pleased, because the city of Barrie and the citizens in the surrounding area have worked very hard to make sure that we provide better long-term care for the seniors in our area, especially with seniors who are moving into the area also.

I was pleased to see that the work I did with respect to Georgian College resulted in \$3.5 million going to the college just a few weeks ago with respect to improving their automotive trade centre. It's something that I had worked very hard for before the election with respect to getting that funding of \$3.5 million, to make sure that Georgian College maintains its status as the number one automotive institute in this country. We're very pleased with that because in Simcoe county we have a very vibrant automotive sector, which we want to continue to see grow. We need to provide the skilled trades to men and women, because we have a very state-of-the-art and far-reaching program with respect to skilled trades for women that has proven to be very successful in providing skilled trades throughout the area, because the automotive sector is a very, very important sector in this province. I believe it provides one in six jobs to this province and is integral to our growth.

1710

I want to talk about the issues that have been spoken about by the speakers here today. We've been speaking about a number of issues—finance, the Oak Ridges moraine—but I want to focus on finance matters and point out to the general public what we're dealing with here. The government has a fiscal year which runs from April to March. Currently we're in November. We've heard all these comments about there being a deficit in the finances of the province. The fact of the matter is that our fiscal year ends March 31, 2003.

I want to refer to an article that was in the *Kitchener-Waterloo Record* written by Bruce Whitestone, who was actually a Liberal candidate back in 1985. This was provided to me by the member from Waterloo-Wellington. There are some very interesting comments about the bogus deficit that we've been talking about here today.

Mr Whitestone states, "In general, history shows that often an incoming administration exaggerates the budget deficit that it inherits, to put the fiscal situation in calamitous terms. Then it can justify its failure to implement part of its program, and later claim that it has reduced the deficit and is more responsible than its predecessor. Thus, at the outset there is a lack of integrity that fuels widespread cynicism. That is the situation here...."

"There is much to be criticized in Peters' report," he states. "Of great significance, almost no one has mentioned the fact that the budget numbers are based entirely on projections based on the first six months of Ontario's fiscal year. Thus, the calculations simply are estimates constructed from only one half-year, a period when several non-recurring events hurt the economy and cost the Ontario treasury a great deal of money: the SARS outbreak, mad cow disease and the blackout. Any economist will state that no one can predict with any authority what revenues will be for the period from November to May, given the extraordinary negative events that adversely affected the Ontario economy earlier this year. The media fail to cite the fact that the so-called \$5.6-billion report merely is a projection put out by an appointee of the Ontario Liberals; it is not a figure engraved in stone." It is a projection.

"In any event, Peters acknowledged that revenues of the Ontario Power Generation, the Lottery and Gaming Corp and the Liquor Control Board were depressed by \$961 million below the original reckoning in Ontario's budget. All but ignored is that the second half of the year will be far more profitable for the LCBO. It has been estimated that roughly 25% of sales and profits are generated in liquor sales in December alone, and the winter season is far more profitable than the summer when alcohol sales predominately are for beer.

"Hence, it is reasonable to conclude that most of the shortfall in this category will be erased by the end of the fiscal year. In addition, the Lottery and Gaming Corp will benefit from a major outlet that is being opened this month in Elora.



"After languishing for most of the year, the economy in the United States has begun to recover, soaring 7.2%, the fastest growth rate since 1984. That incidentally was not predicted, further emphasizing the difficulty faced by anyone making an economic forecast. The stronger growth south of the border will spill over to Ontario."

Mr Whitestone goes on state: "The former auditor"—who is Mr Peters—"completely ignored the probability that the federal government would make a contribution to health funding. Two days ago Ottawa announced the transfer to Ontario of about \$770 million to health funding. It also is anticipated that there will be an additional \$500 million from the federal government to Queen's Park for relief from the SARS outbreak." Now we know that it wasn't \$500 million; it was \$330 million—not a very good deal.

"The Eves administration has instituted a freeze on hiring that, along with other planned savings, could provide \$800 million, according to Ontario's finance department." We know that the Premier to date has indicated that we're putting on a hiring freeze when we come back to the Legislature. Well, the hiring freeze was already on.

Mr Whitestone goes on to state: "Underlying all the other mistakes, a local MPP, Ted Arnott, has pointed out that, 'In generating the new projected deficit, Mr Peters (the former Provincial Auditor) has added in Hydro's debt numbers. This is a departure from past provincial governments of all stripes."

"The Hydro accounts have always been kept separate from the provincial government's books. Hydro rate-payers have always been on the hook for Hydro debt, not taxpayers.' Hence, there is no reason why this presently is included as part of Ontario's deficit except to inflate the total for obvious reasons.

"Earlier this year the Ontario government sold the government's share of Teranet, claiming that it would provide a gain of about \$300 million, but Peters argued that only \$132 million will be forthcoming. That issue remains unresolved. Even though no additional asset sales had been identified, plans were underway for added sales of government assets. Whether or not they are a legitimate deduction from the budget is very questionable. Probably they are improper.

"Mark Mullins, the director of the Fraser Institute's Ontario policy studies, said, 'The government is still playing politics with the deficit numbers.'

"In view of the fact that the budget deficit will be nothing like the \$5.6 billion described by Peters, that comment from a leading think tank seems accurate."

I would subscribe to that view with respect to the games the government is playing with respect to projections that were put out by the former auditor in terms of what he estimated would happen for the next six months of the fiscal year.

When we talk about our financial situation, let's be clear. Let's look at the situation as it will be come March 31, 2004. I can predict—and I'll make a projection in terms of what's going to happen—that we'll see that the

finances of this province have miraculously recovered and the Liberals will take full credit that they made it happen. We know that in 2004 the economy is going to be doing very well. And we know the Liberals and the government have said, "We're going to do a lot of different things to make sure that we live up to our promises." It's going to be interesting what they come out with in the next budget because we know that they have significantly taken measures to raise taxes on Ontario families and employers. This is part of their program. Yet in the election they made a big to-do about signing the taxpayer coalition's platform statement that there will be no increases in taxes. They're not only increasing taxes, what they're doing now is talking about changing the Taxpayer Protection Act; in other words, amending it.

Let's see what the Liberal government is going to do. They're going to increase taxes on Ontario employers, stopping job creation and preventing economic growth. What they're doing is retroactively changing the corporate rules, which affects the confidence in this province with respect to outside investors in terms of what they think this province should be doing.

Business wants a situation where they know what's going to happen. So what this government is going to do is retroactively change the corporate taxes. That is not very smart when you're trying to create jobs in this province. They're also going to cancel the personal tax cut planned for January 1, 2004, and raise personal income taxes by \$900 million. That's \$900 million that's taken out of the economy. They will also increase the financial burden on Ontario's seniors by \$450 million, by taking away the seniors' education property tax credit. That's another \$450 million they're taking out of the economy, which is going to affect us.

They're also going to punish parents who choose to send their children to independent schools, by cancelling the equity in education tax credit. They will also hike hydro rates on all Ontarians, forcing some to make the choice between warmth and food. I can tell you, having gone through that—and I think the members opposite who were will know that they're going to have a great time fielding those phone calls starting tomorrow—that even though they made the promise—and this was the election. What do you care about your promises during the election? "We're Liberals. We can break them. We get re-elected when we break promises. Just look at Jean Chrétien." So they broke their promise on hydro, and it's coming forth tomorrow.

But I can tell you it's going to be interesting how the new members deal with this. I hope they had some input on the decision, because they're going to take the heat. When they make the decision at the top, it's the people at the bottom who take the heat. I can tell you that's not a very good decision to make with respect to what they're trying to accomplish with respect to families and the people who rely on energy in this province. Get ready to take the heat, because you're taking away energy from other people who need it.



1720

The other thing the Liberals are doing, besides breaking their promises with respect to the Taxpayer Protection Act and with respect to hydro, which are pretty fundamental promises, is also delaying key education promises. They will not commit to spending education dollars in the classroom, where they belong. I've got a situation right now in my riding at two schools, which are slated to be closed after a review by the Simcoe County District School Board. We've got King Edward Public School and also Prince of Wales Public School. What are we doing here in terms of not putting any more money into the classroom? They're looking at two schools slated to be closed after a review by the district school board. I say they should be looking at these schools and saying, "Should we keep them open? What can we do to keep these inner-city schools?"

*Laughter.*

**Mr Tascona:** The members opposite laugh, but I'll tell you this: Inner-city schools are very important in keeping the structure of my riding in place. I will tell you that the inner-city schools not only provide the education the students need in that area, but they also provide the recreational facilities we need in our community.

The members opposite and the government laugh away because they think it's a big joke. Well, it's not a big joke in my riding. I can tell you that I was fighting to keep those schools open even when we were in government. Do you know why? Because it's important to keep inner-city schools in place, and not just because of Toronto. It's not all about Toronto; it's other communities that have inner-city schools. I'll tell you that I'll be fighting for Prince of Wales Public School and King Edward Public School, to keep those schools open, to make sure that—well, we've already sent a letter to the Premier and we've already sent a letter to the Minister of Education. One of the biggest jokes, I'd like to tell you, during the election was that the Minister of Education—he wasn't that when he came up during the campaign—goes up into my area and says to the parents, because we need a new school built up in the area, "Do you want a new school? Bang. I'll get you a new school." I can tell you that we're going to hold him to that promise with respect to being able to create a school just out of magic.

Backing off on education promises is something the people are going to remember. They said they would commit their efforts to appeasing teacher unions and school boards. Well, what about parents? I've got four children in the school system. I want a commitment from that government with respect to me, and I think parents all across this province want to be appeased to make sure their children get a proper education. It's not all about school boards and it's not all about teachers' unions; it's about parents and their children in the school system.

They will hide behind their blame-game deficit and avoid implementing the core promises from their platform. There was no commitment to capping class sizes. We know there's a little bit of a dispute between the minister and the Premier, but we're sure they'll sort that

out. When they'll sort it out, we don't know. There's no commitment to live up to their promise of child care for 75% of children under age 4. These are fundamental commitments to education, they're fundamental commitments to health care, and they say, "We've got a deficit. We can't do anything." Well, they won't have a deficit by next year. Come 2004, everything will be all rectified, because they'll get the money somewhere.

I'm pleased to speak today. Thank you.

**Ms Caroline Di Cocco (Sarnia-Lambton):** First of all, I want to welcome everybody back to the Legislature, veterans as well as all the new members, because I think it's wonderful to have all this talent and all the new ideas here in the Legislature—

**Mr Parsons:** And they're better than some of the old members.

**Ms Di Cocco:** According to my colleague from Prince Edward-Hastings, some of the new members are better than some of the old members. But I do want to welcome you. It's really exciting that we have so many new members in this Legislature, and the reason it's exciting is that it brings in fresh ideas. There is a dignity with which I think each one of us is able to represent their constituents here, to be the people's representatives here in the Ontario Legislature.

I have to tell you that being here, in my four years previous to this, it has been a great privilege. There is something that each one of us—sometimes we get caught up with trying to understand what all the protocols are. I know for the new members it's, "What do we do next?" There's a great deal of uncertainty. That will fade with time. You certainly get into the rhythm of the place. You also learn to use the tools of the Legislature to bring the issues of your constituents, because first and foremost we're here because of the people who elected us. We represent their interests here in the Legislature.

I have to also say that I spent four years in opposition and now, being in government, it's a whole different job, basically. One of the exciting things that I'm involved in has to do with democratic renewal. It's exciting because it's about making government work better for people. Government has a tremendous responsibility. It impacts people's individual lives—students, roads, our environment—and good democracy or good government is about continuously improving the way government does its work.

For instance, I hope to see the Audit Act changed so that there is more accountability when it comes to public bodies. Why is that important? Because too many times there isn't that other layer of accountability that's required to make sure public dollars are being spent effectively.

There is also the aspect of enhancing the role of private members. In the Legislative Assembly committee, I believe it was last term, we looked at how to enhance the role of private members. I think it's exciting if we could have, for instance, private members' hour be a place whereby members on all sides of the House could co-sponsor bills and talk about some of the important



issues that impact us and impact people in our ridings. We could use that almost as a collaborative time. There is an opportunity now, in this new era, to make these changes, to bring about changes that make this place work better.

Probably one of the darkest times for me in this Legislature was when we actually took the budget and removed it and had it read in a car parts plant. The whole notion of why we are here—today, for instance, the Minister of Finance is authorizing the payment of salaries of civil servants and other necessary payments pending. Right from the Magna Carta, it was a time that the executive had to bring to the people's representatives how it was going to spend the people's money. That's why we're here. When the government of the day, under Ernie Eves, decided to take the budget and present it to a select group of invited guests, it totally undermined the role of the Legislature.

**Mr Garfield Dunlop (Simcoe North):** Are you still crying about that?

**The Acting Speaker:** The member for Simcoe North, are you in your seat?

1730

**Mr Dunlop:** My seat is right here.

**The Acting Speaker:** Then I would suggest you quiet down a bit.

**Ms Di Cocco:** Each one of us in this place represents people in our riding. It is the responsibility of the executive to bring to the people's representatives how and why it's spending the people's money. That's a fundamental foundation of Parliament. For some reason, because they thought it was going to be a gimmick that was going to get them some brownie points somewhere, they decided to take it out of this place. I have to say that, for me anyway, it was one of the darkest times in this province. To me, it was contempt for this place.

In this new era and with the involvement in democratic renewal, I'm hoping that we can make this place work better, because there's always room for improvement. It's very easy to forget that each one of us as individuals has a tremendous privilege and we have a tremendous amount of, if you want, individual power here in Parliament. We also have an opportunity that sometimes is lost, and I'm thrilled that we're going to develop this democratic renewal secretariat, because it is fundamentally going to change how government works. Can you imagine actually going out there and talking to people about different types of representation instead of first-past-the-post, looking at how we can become more accountable and more transparent and how to change some of the standing orders so that, for instance, we can have our bills going to committee after first reading and then being able to put in amendments, rather than a fait accompli once it comes to the House?

There are other initiatives as well. All of us saw the toll it took on us when the election was about to be called and then not called and about to be called again and then not called.

**Mr Parsons:** And it cost a lot of public money.

**Ms Di Cocco:** It cost a lot of money. To have the courage to say, "You know what? We're going to set dates so that we can anticipate and we know when votes are going to be taken across this province"—we will do that, and I believe that's going to improve things. There won't be the games that we've seen in the last year.

One of the other areas that I look forward to—I listened to the member for Barrie-Simcoe-Bradford, who is not here right now. When I heard him speak about making sure that schools stay open, I wondered where his voice had been over the last four years, particularly in the last few years, when we've seen all the schools closing, yet that voice wasn't there. Now in opposition he found it again. I think all of us have a responsibility to make sure we always speak in the interests of our constituents and of the people in this province. We now have this new era where government is going to do that. It's about government serving the people and not the other way around, where people have to serve the government.

I look forward to this new session. For the new members, it's going to get better as you move on and get to know what really is going with all the dynamics in here.

**Mr Gilles Bisson (Timmins-James Bay):** As a New Democrat, I just want to say to the member from Lambton that I'm going to miss having you over here. Speeches will never be the same. We used to have such a good time when you were on this side.

I want to congratulate, as was said, all members who were re-elected and those who were newly elected to this place. It is, quite frankly, quite an honour to be here. I think it doesn't sit on us and really permeate until after you've been here a couple of times. The reality is that some of us are lucky enough to be elected once, and it becomes tougher and tougher as time goes on. So to all of you, I wish you well and I wish you well in the representations that you make for your ridings. I've only got five and a half minutes, so enough of that. I have a couple of things I've got to say.

A pox on both your houses. You rump guys who should be over here and the Liberals come in and say, "Oh my God, we should've had a V8. We forgot all about the deficit. We campaigned in the last election and we said we've got all these promises we want to make and the litany of promises: smaller class sizes, more nurses, more money for health care." I agree with most of that stuff, quite frankly. Then, all of a sudden you get elected and say, "Oh my God, there's a deficit? Where did it come from?" Well, you know, Mr Phillips and I and Howard sat on the estimates committee back last spring. We knew there was going to be \$5.5 billion. So it wasn't a surprise. But this is not my point.

My point is, a pox on both your houses, because now the Liberals are trying to say how upset they are because the Tories have left them a \$5.6-billion deficit and how much of a surprise that was. I remember when the Liberals promised not a balanced budget but a surplus in the 1990 election. Then we opened up the books and the Liberals had left us \$8.5 billion as a deficit. So I say, a



pox on all your houses. The reality is, coming into the Legislature we knew what the numbers were, we knew what the issues were, we knew it was going to be somewhere around \$5 billion—\$4.5 billion, \$5.5 billion—we knew it was going to be about that number.

But I want to get to my last point, because I've only got three minutes and 54 seconds left, and that is the reason we're into this mess in the first place when it comes to the deficit: the tax cuts. That's how we got into this. Mr Bradley and other people who have been around here for a while, Mr—

**Hon Joseph Cordiano (Minister of Economic Development and Trade):** Wake up.

**Mr Bisson:** Wake up? I am awake. I was trying to find your last name. I have to go by ridings, as I'm not supposed to mention your name, and that's actually a very good point.

But I say, Mr Speaker—I'm glad you're back in the chair—that the reason we got into this deficit situation is because the government, at a time when the economy started to grow a bit, took away the revenue and basically put us in a position of creating a deficit.

An interesting little fact: If you take a look at the American Congress—the federal American budget—and you look at the state legislatures across the United States, virtually all the states, and the federal government, that have moved on tax cuts are the ones that have deficits. Interestingly enough, where there's a federal government—in this case a federal Liberal government—that decided they weren't going to do tax cuts, what do they have? It's called a surplus. So I say the reason we got into this mess is because the Tories pursued a tax-cut agenda.

The tax-cut agenda, however popular it is to the population on first blush, means you're either going to have to reduce costs in other programs such as health care and education, because the reality is, health care, education and social services are about 75% of the expenditures of this Legislature. If I reduce taxes, I'm going to have to cut from one of those three major programs. Everybody says, "Everybody but me. Cut anybody but me, because I need it. I'm the senior, I'm the student, I'm whatever." Basically, there's not much choice. It's a cut, or you have to run a deficit.

In this particular case, the government chose both of the worst evils, in my view: to run a deficit and hide it, as Tories did well. The reality is, in the last term it was not a balanced budget. We knew that last spring. We can argue about what happened before in the other budgets, and I'll give you credit for those, but I'm saying that the last budget we got, this budget here, 2003-04, was not a balanced budget when it was presented to this House as we unravelled the numbers.

I sat on the estimates committee and I saw the numbers. They were around \$5 billion. So I say the tax-cut agenda has been shown to be, quite frankly, bad economic policy. Look at George Bush. How many trillions does he have now as a deficit? What are the numbers? I'd have to go back and take a look, but it's in

the trillions of dollars. Take a look at the state legislatures across the United States of America. Virtually all that had pursued a tax-cut agenda are in a deficit situation. Ontario, which pursued a tax-cut agenda, is in a deficit situation. Those places that said, "We will hold the line on taxes, we will not increase taxes and we will manage our expenditures," basically ended up in a situation of either balancing their budgets or frankly creating a surplus.

I want to go back to my good friend Mr Harris: "There's only one taxpayer." I always remember what Mr Harris said. When you're giving away taxpayers' money, not to them individually, their pockets, but to the upper-income people of this province, who have you really been trying to placate? Not the average person on the street. I say, a pox on both your houses. This is not the first time it's happened.

1740

Number two, we're in a situation where we knew there was going to be a deficit this fall. The last part is that tax-cut agendas have been shown to be bad economic policy.

As I stand here as a proud New Democrat in this Legislature with my caucus of seven, I want to say I really appreciated having an opportunity to represent NDP views in this Legislature.

**Hon James J. Bradley (Minister of Tourism and Recreation):** I must say to the last speaker: I know the NDP, and you're no NDPer. Seriously, I'm always glad to hear from my good friend from the north and glad to hear that the pox is still on two other houses, other than his own house. I'd be deeply, deeply disappointed if that were not the case.

I didn't want to mention Conrad Black in my speech today, but I know the members of the Conservative Party must be devastated that their good friend Conrad Black has, shall we say, fallen upon bad times. I remember the lectures that came from his publications that told us of the virtues of continuous tax cuts, which of course have robbed governments in various jurisdictions of their potential revenues. Nobody suggests there should be dramatic tax increases over that period of time. What they said was, "You know something? If you keep cutting these taxes, instead of producing the economic revival you hope for, what actually happens is you end up with lack of revenues." What we have now in Ontario today—and you would know this—is a structural deficit.

I have a little bit of a comparison when I think of—and I know my friends on the government side will not be too critical of me. I'm going to—

**Mr Dunlop:** Opposition side.

**Hon Mr Bradley:** Opposition side. I have a hard time with that.

**Interjection:** They got used to it really quick; you're not.

**Hon Mr Bradley:** I'm going to the member's riding. He's going to welcome me tomorrow night. I'm looking forward to that.

I hate to draw a comparison between Conrad Black and his financial dealings and this government. But just



as the shareholders of Hollinger corporation are probably astounded at what they have found in recent days, I was astounded when I found the deficit that we are facing in Ontario. Did we know this government was probably not providing all the facts regarding their deficit? Did we think perhaps they were running a deficit of a couple of billion dollars? Yes. But when we had an impartial person, the former auditor of the province of Ontario, look at the books and say, "It's at least a \$5.6-billion deficit," those of us on this side were astounded by those figures. We had the assurances of the former Premier and the former finance minister that indeed all was fine. They said the budget was in fact balanced. Now we have to deal with not only a number of very fine commitments we made to the people of Ontario, but also a further commitment to put our financial house in order first.

I agree with my friend from the north that in fact had we not had all of these tax cuts promised and implemented by this government, we probably would have the revenues to do what he and I and others in the House would like to see done for the people of Ontario.

What I was surprised with—and I wish there were time for these two-minute responses for him. I watched in astonishment as the independents, as they call them over there, as the members who used to be the NDP and are now independents—I still call them the NDP because I'm used to the past—stood and voted against a bill proposed by this government to rescind those tax cuts. In light of my good friend from Timmins-James Bay making his speech today—and I agreed substantially with what he had to say—I was astounded and astonished that the group that is sitting over in that corner at the present time, formerly known as the New Democrats, amongst their own friends and in their hearts still New Democrats, that they stood with the Conservatives to vote against the rescinding of those particular tax measures. That flummoxed me—I think that's the word I'm looking for in this particular case—because I know Conrad Black would have agreed with all of those tax cuts. I used to read editorials in the newspapers that he owned and they would be extolling the virtues of these tax cuts, which were robbing the people of this province of the money to be able to invest in things that people wanted.

Of course, with this interim supply bill and the payments going out, we want to see a strong, progressive education system, a well-funded public education system in this province so that everyone can feel comfortable in it, everyone can believe that they're delivering the best possible education to the people of the province. I want to see post-secondary education appropriately funded and, of course at the same time, the tuition, which the previous government allowed to go up dramatically, at least frozen where it is. I'd love to cut it, but it's very difficult to do that.

I remember a party in this Legislature that used to sit to the far left of the Speaker, which at one time promised to abolish tuition, and when in office, I think the tuition went up 42%. Now, was that because the people known as New Democrats wanted that to happen? No it wasn't,

because they're not mean-spirited people who wanted to raise the tuition of the students. But they found themselves in a fiscal position where they felt they had to do it.

It reminded me of government auto insurance. One of the things I always knew about the old New Democrats was if you said to me, "Tell me two things they stand for," I'd say, "Well, they stand for a lot of things. One thing is public auto insurance, and the first thing they're going to do is implement public auto insurance. The second thing is the sanctity of the collective agreement." I know that the sanctity of the collective agreement was deep in their minds, and then I saw the social contract—I would like to dramatically rip this, but I'm not dramatic any more; I could dramatically go like this—which ripped up every public sector contract in Ontario and said to those folks who had taken part in collective bargaining and had come forward with contracts that they were no good any more.

Did the New Democrats of the day do that because they wanted to? No they didn't. They found themselves in difficult financial circumstances. The present government now finds itself in a far less enviable financial position than we would have hoped when we assumed office. We opened the envelope up and inside the envelope we found the figure of a \$5.6-billion deficit instead of about \$2 billion, which we suspected was probably the case.

Part of that is going to be solved with the Fiscal Responsibility Act, 2003, if it is passed by this Legislature—because we can never presume ahead of time that something is going to be passed—and it rolls back various of these tax giveaways, and we will go a long way to addressing the problem of lack of appropriate revenues to meet all of the needs. Senior citizens of this province have a lot of needs. Nursing homes have to be improved in terms of the quality and quantity of service they can provide, and that can only be through further funding. School systems need further funding. If we want to bring the classes down to an appropriate size for those youngsters—particularly in grades 1 to 3, but others as well—that will take an investment of funds.

In the Ministry of Tourism and Recreation, just to pull one out of a hat—not to flog this one, but to pull it out of a hat—we would love to see some further investments in tourism and in the recovery program for tourism. That's dependent upon having some funds to be able to do so.

Some of the members in the government benches may well reconsider their position, because I well remember some of them who are still here—well, at least one of them is still here—originally, when former Premier Mike Harris said, "Look, we want to cut taxes before we balance the budget." There were four of them and some of them are no longer in the House. One was a former Speaker, Gary Carr, the member for Oakville—I think you can call them by their names when they're no longer in the House. He was one, I recall. My good friend Chris Stockwell was another who cautioned against it. I think my good friend Morley Kells was yet another who did so,



and now the member for Waterloo-Wellington—because I'm not supposed to use his name in here—I think he was the fourth. They all recognized what you can't do, that you can't cut the taxes before you balance the budget. There are a lot of things that you can't do until you get your fiscal house in order, and that's what were telling the people of Ontario.

Most of the people I talk to are reasonable with that. They say, "You know something? We'd love to see all of your commitments implemented tomorrow, but we recognize that the cards you've been dealt are jokers instead of aces and that you have to take a little longer than you would like to implement them. But we know that your heart is in them and that you're committed to those." This interim supply bill, of course, is going to provide for the kind of funding that is needed for the existing services in this province.

With that, Mr Speaker, I will resume my chair. I know that we're likely to come to a vote very soon on this.

**The Speaker:** Further debate? That's it?

Is it the pleasure of the House that the motion carry?

All those in favour of the motion, say "aye."

All those against, say "nay."

I think the ayes have it.

Call in the members. There will be a 10-minute bell.

*The division bells rang from 1751 to 1801.*

**The Speaker:** Will the members please take their seats.

Mr Sorbara has moved government motion 1. All those in favour, please rise.

#### Ayes

Agostino, Dominic	Gravelle, Michael	Parsons, Ernie
Arthurs, Wayne	Hoy, Pat	Patten, Richard
Baird, John R.	Jackson, Cameron	Qaadri, Shafiq
Bartolucci, Rick	Jeffrey, Linda	Ramsay, David
Bentley, Christopher	Kennedy, Gerard	Rinaldi, Lou
Berardinetti, Lorenzo	Klees, Frank	Sandals, Liz
Bradley, James J.	Kular, Kuldip	Scott, Laurie
Brotten, Laurel C.	Lalonde, Jean-Marc	Sergio, Mario
Brown, Michael A.	Leal, Jeff	Smith, Monique
Brownell, Jim	Levac, Dave	Sorbara, Gregory S.
Colle, Mike	Marsales, Judy	Sterling, Norman W.
Cordiano, Joseph	Matthews, Deborah	Tascona, Joseph N.
Craitor, Kim	Mauro, Bill	Van Bommel, Maria
Crozier, Bruce	McGuinty, Dalton	Watson, Jim
Delaney, Bob	McMeekin, Ted	Wilkinson, John
Di Cocco, Caroline	Meilleur, Madeleine	Wong, Tony C.
Duncan, Dwight	Milloy, John	Wynne, Kathleen O.
Dunlop, Garfield	Murdoch, Bill	Yakabuski, John
Flynn, Kevin Daniel	Ouellette, Jerry J.	

**The Speaker:** All members who are against, please rise.

#### Nays

Bisson, Gilles	Kormos, Peter	Martel, Shelley
Churley, Marilyn	Marchese, Rosario	Prue, Michael

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 56; the nays are 6.

**The Speaker:** The motion is carried.

The House stands adjourned until 6:45 pm.

*The House adjourned at 1804.*

*Evening meeting reported in volume B.*





# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Speaker / Président: Hon / L'hon Alvin Curling  
Clerk / Greffier: Claude L. DesRosiers  
Deputy Clerk / Sous-greffière: Deborah Deller  
Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman  
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Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
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Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon / L'hon Leona</b> (L) Minister of the Environment / ministre de l'Environnement
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Huron-Bruce	Mitchell, Carol (L)
Beaches-East York / Beaches-York-Est	Prue, Michael (Ind)	Kenora-Rainy River	Hampton, Howard (Ind)
Bramalea-Gore-Malton- Springdale	Kular, Kuldeep (L)	Kingston and the Islands / Kingston et les îles	<b>Gerretsen, Hon / L'hon John</b> (L) Minister of Municipal Affairs, minister responsible for seniors / ministre des Affaires municipales, ministre délégué aux Affaires des personnes âgées
Brampton Centre / -Centre	Jeffrey, Linda (L)	Kitchener Centre / -Centre	Milloy, John (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Brant	Levac, Dave (L)	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Lanark-Carleton	Sterling, Norman W. (PC)
Burlington	Jackson, Cameron (PC)	Leeds-Grenville	Runciman, Robert W. (PC)
Cambridge	Martiniuk, Gerry (PC)	London North Centre / London Centre-Nord	Matthews, Deborah (L)
Chatham-Kent Essex	Hoy, Pat (L)	London West / -Ouest	<b>Bentley, Hon / L'hon Christopher</b> (L) Minister of Labour / ministre du Travail
Davenport	Ruprecht, Tony (L)	London-Fanshawe	Ramal, Khalil (L)
Don Valley East / -Est	<b>Caplan, Hon / L'hon David</b> (L) Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint	Markham	Wong, Tony C. (L)
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Dufferin-Peel-Wellington- Grey	Eves, Ernie (PC)	Mississauga East / -Est	Fonseca, Peter (L)
Durham	O'Toole, John (PC)	Mississauga South / -Sud	Peterson, Tim (L)
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Essex	Crozier, Bruce (L)	Niagara Falls	Craiton, Kim (L)
Etobicoke Centre / -Centre	Cansfield, Donna H. (L)	Nickel Belt	Martel, Shelley (Ind)
Etobicoke North / -Nord	Qaadri, Shafiq (L)	Nipissing	Smith, Monique (L)
Etobicoke-Lakeshore	Broten, Laurel C. (L)	Northumberland	Rinaldi, Lou (L)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Oak Ridges	Klees, Frank (PC)
Guelph-Wellington	Sandals, Liz (L)	Oakville	Flynn, Kevin Daniel (L)
Haldimand-Norfolk-Brant	Barrett, Toby (PC)	Oshawa	Ouellette, Jerry J. (PC)
Haliburton-Victoria-Brock	Scott, Laurie (PC)	Ottawa Centre / -Centre	Patten, Richard (L)
Halton	Chudleigh, Ted (PC)	Ottawa South / -Sud	<b>McGuinty, Hon / L'hon Dalton</b> (L) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales
Hamilton East / -Est	Agostino, Dominic (L)		
Hamilton Mountain	<b>Boutrogianni, Hon / L'hon Marie</b> (L) Minister of Children's Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance, ministre des Affaires civiques et de l'Immigration		

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Ottawa-Orléans	McNeely, Phil (L)	Thornhill	Racco, Mario G. (L)
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Oxford	Hardeman, Ernie (PC)	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
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Parry Sound-Muskoka	Miller, Norm (PC)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (Ind)
Perth-Middlesex	Wilkinson, John (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	<b>Smitherman, Hon / L'hon George (L)</b> Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Peterborough	Leal, Jeff (L)	Toronto-Danforth	Churley, Marilyn (Ind)
Pickering-Ajax-Uxbridge	Arthurs, Wayne (L)	Trinity-Spadina	Marchese, Rosario (Ind)
Prince Edward-Hastings	Parsons, Ernie (L)	Vaughan-King-Aurora	<b>Sorbara, Hon / L'hon Gregory S. (L)</b> Minister of Finance / ministre des Finances
Renfrew-Nipissing-Pembroke	Yakabuski, John (PC)	Waterloo-Wellington	Arnott, Ted (PC)
Sarnia-Lambton	Di Cocco, Caroline (L)	Whitby-Ajax	Flaherty, Jim (PC)
Sault Ste Marie	Oraziotti, David (L)	Willowdale	Zimmer, David (L)
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Scarborough East / -Est	<b>Chambers, Hon / L'hon Mary Anne V. (L)</b> Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités		<b>Duncan, Hon / L'hon Dwight (L)</b> Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement
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Simcoe North / -Nord	Dunlop, Garfield (PC)	York South-Weston / York-Sud-Weston	
Simcoe-Grey	Wilson, Jim (PC)	York West / -Ouest	
St Catharines	<b>Bradley, Hon / L'hon James J. (L)</b> Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs		
St Paul's	<b>Bryant, Hon / L'hon Michael (L)</b> Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		
Stoney Creek	Mossop, Jennifer F. (L)		

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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**Official Report  
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des débats  
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**Monday 24 November 2003**

**Lundi 24 novembre 2003**

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

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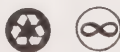
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 24 November 2003

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 24 novembre 2003

*The House met at 1845.*

## ORDERS OF THE DAY

### HOUSE SITTINGS

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr Speaker: I believe we have unanimous consent to split the time available this evening between the two recognized parties and the seven independent New Democratic Party members in the House and that the debate will wrap up this evening upon completion of the debate.

**Mr John R. Baird (Nepean-Carleton):** On a point of order: I would certainly agree to dividing the time equally between the Liberal Party, the Conservative Party and our friends in the New Democratic Party.

**Mr Peter Kormos (Niagara Centre):** If I may, Speaker, that was the agreement the House leaders of the three parties reached earlier this evening.

**The Acting Speaker (Mr Bruce Crozier):** Is there consent? Agreed. The government House leader.

**Hon Mr Duncan:** Do I have to read the motion? I apologize.

I move that, notwithstanding standing order 6(a), the House shall continue to meet until Thursday, December 18, 2003, at which time the Speaker shall adjourn the House without motion until Monday, March 22, 2004.

**The Acting Speaker:** Mr Duncan has moved government motion number 2.

**Hon Mr Duncan:** I'm pleased to join the debate on this notice of motion. Let me begin by saying that we are actually extending the calendar period and recalling the House as per the standing orders and what's set out in the standing orders. The standing orders are an important document. These are things we've all agreed to. And this time frame, by the way, is the first time in a long time that the House has actually been called back according to the calendar that's established in the standing orders. That's a significant development.

Why do we want to come back? Because this government has a positive agenda for change. We are going to undo the mess that was left by the previous government, by the Ernie Eves government, the \$5.6-billion deficit that was left for this government, the McGuinty government, to clean up. We're going to clean it up in a fashion that treats all people in this province fairly and with respect.

Let's talk about the \$5.6-billion deficit and why we need to sit until December 18. We need to do that so we can begin to implement better education, better health care and a cleaner environment. These are commitments we made in the election, these are the undertakings we made to the people of Ontario and we intend to continue to do that.

It wasn't just some stranger who said there was a \$5.6-billion deficit. It was the former Provincial Auditor, Mr Erik Peters. Now the Conservatives opposite would like to have you believe that somehow we invented this number. Well, the facts are there; they're verified by the Provincial Auditor. The only way that government could have dealt with its own deficit was to have sold assets. I've been reflecting on just what they might have sold, had they been re-elected, in order to balance the budget. Would they have sold the Liquor Control Board of Ontario? I wonder if they would have done that. How much revenue does that contribute to provincial coffers every year? About \$720 million?

**Interjection:** Closing in on a billion.

**Hon Mr Duncan:** Closing in on a billion dollars. The thing that really troubles me about the whole situation is that they would have done what they did with the 407: given it away in the run-up to an election or just after an election to pay for their promises, forgoing a future stream of income that would have benefited generations from now, well into the future. Those are the kinds of things that were on the table, and they were seriously looking at this.

**1850**

They were going to sell a series of hydroelectric dams in northern Ontario. That's what they talked about. The former energy minister, my colleague and friend, said that as we discussed it on Studio 2 a couple weeks ago. It would have been a penny-wise and pound foolish decision in this government's view, and that's why we want to sit until December 18. We want to deal with those things.

Today the finance minister, Mr Sorbara, tabled his bill that will repeal the Tory tax boondoggles for the rich. It's significant, because the opposition doesn't want to acknowledge that we're keeping our promises. We said that we would get rid of the 25% corporate tax cut. We said that in the election. We were clear, we were unequivocal and we're doing it.

**Mr Dave Levac (Brant):** And we won.

**Hon Mr Duncan:** And we won the election. We have a mandate from the people of Ontario to do that.



Our corporate taxes are among the most competitive in the world today, and we need no lectures about giving away money like that when we don't have enough teachers and we don't have enough hospital beds, and this government's correcting that.

We're getting rid of the private school tax credit, because this government believes in public education. If anyone chooses to send their children to a private school, that's their decision, but for us we need to invest in our public education. That was neglected by that government for too long, and the changes that came about on October 2 are beginning to be implemented today in that tax bill or a variety of other measures.

Tomorrow I'll be bringing forward legislation to deal with the electricity cap, something that's cost the treasury close to \$800 million in red ink, something that makes it impossible for any government to deal with the real problems confronting our hospitals and schools. Without that, we can't proceed.

This government will be moving in this session to deal with automobile insurance to keep the commitment Dalton McGuinty made and that we actively campaigned on.

That's why it's important to sit until December 18 and come back on March 22. We have a full agenda. I expect the Minister of Labour will have announcements soon about a variety of issues where we will again keep the promise to the people that we made in the last election. We're going to move prudently and responsibly in those areas where we can now to move forward on our agenda. I remind my friends opposite that we are only now on day two of our mandate in terms of the House. We have four years. Believe me, at the end of the four years we'll have a record second to none in terms of keeping our promises and delivering what we said we would do.

There has been no man sitting in that Premier's chair who has more integrity, more honesty, in my view, than Dalton McGuinty. There is no individual in this province more committed to public education and public health care than Premier Dalton McGuinty.

We fought a tough campaign, and we're ready to move on the commitments we made and fulfill them with the kind of vigour and prosperity that we know we can deliver, that the people of Ontario four years hence will say, "They said they would do what they did and they came through with it." So we have and so we begin. That's what this motion is all about.

We look forward to sitting and debating. I look forward to my friends in the Conservative Party explaining away their \$5.6-billion deficit. That was not something you promised. You were supposed to be good managers. Well, your record is laid bare, not by a partisan body, not by the Ontario Liberal Party, but by the former Provincial Auditor, who gave an unequivocal and professional opinion on that. It lays bare and exposes all the phoniness of that previous government.

There are a lot of new members on this side. I remember them sitting here saying that our health care had improved, that our schools had improved, and so many of you joined us in the election and became Liberal candi-

dates because you know how phony those things were and how much the previous government tried to spin and paper over its sorry record.

I look forward to my friends in the independent NDP rump of the House over there talking to us about keeping promises. This was the party that said it would do public auto insurance upon assuming office. Did they do it? No, they didn't do that. This was the party of organized labour that opened up and stripped collective agreements right across this province. Even my friend Mr Kormos, the member for Welland-Thorold, had to part with his party's company on that one. A shameful record of broken promises, lost jobs and higher welfare rates.

I'll predict today that Dalton McGuinty's government will have a strong economy upon leaving office and a record of keeping its promises second to none. That's why it's important that we sit and debate until December 18. We're pleased to stretch the agenda until that day.

I urge all members of the House this evening to join with us in voting for a longer calendar so we can come here and debate the people's issues. No government in the history of this province had a more sorry record than the Harris-Eves government when it came to stifling debate in this House—not one, not in history. They changed the rules unilaterally to prohibit debate or to make it more difficult to debate. They didn't send important bills to committee. They did all kinds of things to take it out of here, and probably the most offensive was the Magna budget. We remember that.

This government and our Premier, Dalton McGuinty have pledged in the throne speech that every budget will be delivered in this House where it belongs. We will never, ever acquiesce to that kind of practice again. So I invite my friends in the official opposition and among the independent New Democrat members of this House to join with us in voting in favour of this motion to allow the House to sit until December 18 so we can debate the important issues of the day, resuming that debate again in March. Premier McGuinty has promised an unprecedented consultation, over the course of the winter, in how we deal with the mess left to us by the Harris-Eves government. We look forward to that debate. We look forward to being in this House. I know all members of this caucus will look back in four years and say we kept our promises.

**The Acting Speaker:** Further debate?

**Mr Garfield Dunlop (Simcoe North):** It's a pleasure to rise tonight on my first opportunity as a member of the opposition. First of all, I'd like to begin by congratulating the Liberal Party for a job well done in the campaign. You ran a good campaign and I have to acknowledge the fact that you won a sweep across our province. I do think you deserve my opportunity to congratulate you.

I'm also in favour of speaking on the House calendar motion. I will be supporting this because, in spite of what Mr Duncan the House leader said, I'm looking forward to another week of debate. In fact, I'm surprised we're waiting until March 22 to come back. If you've got so much to offer the citizens of the province of Ontario, why



aren't we back here in January? The Harris government came back in January for the first few years in 1995, 1996 and 1997 to get legislation through, and already you're taking a three-month vacation. We're only going to sit 16 days out of the three months since you've been elected, as Christmas comes around.

I'm interested in the spin Mr Duncan's putting on tonight. Obviously, he's been reading the papers over the last week. Already the perception is that you're breaking promises. Over 200 promises were made during the election—closer to 300 depending on exactly how you perceive the wording of the promises—and the citizens of the province are slowly finding out, even before we go back for one day, that Mr McGuinty is a promise-breaker. That's the one thing that Mike Harris, our Premier from 1995 to 2001—promises made, promises kept was something that was known throughout the political circles all across Ontario. Promises made, promises kept was a motto and a theme that we went with, and to this day we're very, very proud of those.

In his comments, Mr Duncan is also trying to make it sound as though we've mismanaged the economy. I didn't hear him say anything about West Nile tonight. I didn't hear say anything about mad cow disease. I didn't hear him say anything about two cases of SARS. I didn't hear him say anything about the blackout. Somehow you've completely eliminated any thought of the tragedies that the province of Ontario faced. What did you do? The very first promise that you broke as a new government was hiring a private consultant to do that so-called audit review.

**1900**

**Hon Mr Duncan:** We hired the retired auditor of Ontario.

**Mr Dunlop:** Unfortunately, he's a private auditor, and that was the first mistake you made. One of the very first promises you made—not to have any private consultants—you broke immediately with the private consultant who did that so-called review, where he inflated numbers etc. You've still got four months to balance the budget. You've got an opportunity to get around to it. You said you'd deliver balanced budgets immediately. I've seen nothing of the kind yet. You're going to try to drag it out over four years.

What you're also forgetting—I'd like to see some numbers on what your plans are for job creation in the province. You've got quite a legacy to fill. We created over one million new jobs in four years, one million net new jobs.

*Interjection.*

**Mr Dunlop:** Well, our economic policies created a million. Paul Martin never balanced a budget until Mike Harris was Premier of this province. You know that as well as I do. Paul Martin never balanced a budget.

*Interjections.*

**Mr Dunlop:** Well, I'm glad to hear that gets under your skin, because obviously the fact that there were one million new jobs bothers you. Those are the theories, those are the sorts of ideas you'll have to come up with.

We're going to look forward to what kind of impact your corporate tax increase will have on our corporations across our province. I believe it will drive jobs out of the province of Ontario. We'll look at those numbers very, very carefully as they come in, and we'll look at the types of promises that are broken around that as well.

There are two issues here. One is the so-called inherited deficit you refer to in the throne speech over and over again. The second that the citizens of the province of Ontario are looking at and will be much more carefully thinking about will certainly be the number of broken promises you actually are making. We'll look carefully at that over the next four years. In the next three weeks we'll look at that as well. We're looking forward to being here until December 18 and looking at all the different promises you'll come up with, the new legislation you'll introduce.

Maybe we'll do something with law and security as well. I heard nothing about that in the throne speech. Of course, that's a topic for another day. Hopefully we're going to have an opportunity to debate the throne speech over and over again in the next few weeks, and hopefully maybe even in January, February or March.

I thank you very much for the opportunity to say a few words tonight. Again, congratulations to the Liberal Party on its victory. I look forward to the next four years in opposition before we take control of the government again. Certainly it will be a challenge, but we're up to the job.

I also want to say at this time special congratulations to all of our municipal friends who have been elected, acclaimed and re-elected across the province. I think as a government, as an opposition, we have the challenges to work with the municipalities as well as the federal government. I look forward to those types of debates and issues we face as well.

Thank you very much for the opportunity. I look forward to what the NDP has to say. I look to forward to—I believe we're voting later on tonight? Thanks very much.

**Mr Kormos:** It has been, my God, it seems like—well, it has been months, hasn't it? Finally we're back, and we're back for, what? This is day one and the Liberals want to go on vacation already. The Liberals want to take three months off. It boggles the mind. I can't believe it. Here we are, day one. We haven't even begun debating the throne speech, and these guys are already planning a three-month vacation. Pathetic. Embarrassing. What a lazy gang of mongrels, that they would want to head off on a three-month paid leave of absence after being here but—gosh, it's only been six hours that the House has been sitting.

What kind of message is that sending to your newly elected backbenchers here in the depths of the rump? It's not a very enlightened message. Now, I understand that the perk positions couldn't travel all around. Not everybody can make as much money as cabinet ministers or parliamentary assistants or committee Chairs or whips—dare I say it?—or House leaders.



But to be fair to the House leader, look what's happened. I really want to commend the sacrifice of the government House leader. I want to commend his sacrifice. I've known the government House leader for a good chunk of time. I knew him when he was young. I knew him when I was young.

**Hon Mr Duncan:** And you had blond hair.

**Mr Kormos:** I knew him when I had colour in my hair. And I say to you that here the government House leader is not only the House leader but he is the Minister of Energy. You understand what that means. It means the House leader's salary—he doesn't collect both salaries, because the rules are that you can't double-dip, at least until you get out of here. Then you can. Remo Mancini—he's not double-dipping; he's got one hand in each cookie jar and his toes trained in simian style, picking up coinage with every appendage on his body. You can only double-dip when you're out of here. So again I commend the government House leader. Albeit it means depriving one of his backbench colleagues of the extra salary of a House leader, I understand he's eager to take on these challenges.

What I wonder is where my good friend—because he is a good friend, and I don't say that in the formal tone in which some people say it. It's often misused here in the House: "My friend from so-and-so." But I remember Jim's speeches—the member for St Catharines—about these types of motions. Jim, we need you. Jim, if you're watching and you're anywhere within this parliamentary precinct, get over here now. There's still some speaking time left on the government benches. Jim—the member for St Catharines, Jim Bradley—I know how vehement and articulate and indignant you can be about these types of motions. My goodness.

Garfield, do you remember when the Tories would take these long vacations, these long hiatuses, if that indeed is the plural of "hiatus"? Jim Bradley was on his feet and I would follow him, and we would tag-team. It would be like the World Wrestling Federation. We'd rip out a new larynx for the government House leader of the day, saying, "How dare you lazy Tories take such long vacations?" I tell you that as New Democrats we're prepared to be back here January 2. Heck, we'll be here January 1 if need be.

We're not going to support lengthy vacations after but not even 24 hours of House sittings. These guys are looking at a three-month vacation. My goodness. And you see, I miss my dear colleague Mr Bradley's speech on this matter. So Jim, if you're within watching distance, if you're close to the chamber, this caucus needs you now like they've never needed you before. They need your leadership and your guidance, and I say that in all sincerity.

I suppose I'm going to have to collect some of the Hansard speeches of some of these Liberal members and have them ready so I can remind some of the government members what they were saying when the Tories were pulling these kinds of stunts, which were quite frankly an abuse of this Parliament.

So New Democrats—did I mention to you that New Democrats aren't going to be supporting this motion? We're not going to be supporting it. I want to be very clear about that. New Democrats are opposed to this motion. I tell you, shame on you for not wanting to be here and sit. Shame on you.

This government has every good reason to want to get its tail out of here.

*Interjections.*

**The Acting Speaker:** Order. Let's listen to the speaker who has the floor.

**Mr Kormos:** Thank you kindly, Speaker. I appreciate your interventions on my behalf.

I full well understand why this government would want to weasel its way out of here and get out of here, vamoose, get down to the travel agency and buy those tickets to warmer spots. Because at a promise a day, if we were to continue to sit without this huge hiatus—how many is it, Ms Martel, 231?—we would have gone through that 231 in short order.

**1910**

At the same time, having said that, these guys actually want to prolong the pain. It's sort of like when you were a kid and you had a Band-Aid on. You were nervous about pulling the Band-Aid off because the little hairs on your arm would get pulled off, and your mom or your grandma always told you, "No, you just do it in one fell swoop." So I'm giving this government some advice right now: If you're going to break all your promises, just break them all this week. That way the pain is concentrated over a shorter period of time.

First, you had the good news—oh yes, the good news for the folks down where I come from—that hydro-electricity rates are going to skyrocket again, through the roof. Merry Christmas, folks in Niagara Centre. The Liberals are going to rip the hydro caps off, the ones they supported and promised, and let electricity rates go sky-high.

So I'm going to have to talk to folks again, small business folks like down at Celi and Presti delicatessen. Do you remember them? I talked to you about them here in the House. They are little business people, hard-working folks. You've never met harder-working folks than those people down there, the Ramundo family at Celi and Presti. The fact is, they simply can't charge that much more money for sliced prosciutto cotto etc to enable them to pay the sky-high electricity prices that the Conservatives imposed on them. Now they once again face the prospect of watching their business go south.

The seniors down where I come from, so many of whom live in modest apartments that, because of the nature of the private sector and development and because electrical heat is cheaper to install—and it is; I understand that. So many of the low-rise, four or five—down where I come from we don't have big, 20-storey buildings. You understand that. Down where I come from, a six-storey building is a high-rise, right? So I've got seniors living in modest apartments with electric heat. It's one thing for me to turn my heat down; I understand.



But tell your mom or your dad or your 85- or 90-year-old grandmother to turn the heat down. It just doesn't work that way for senior citizens. And they're afraid too. In such short order the broken promises have created a climate of fear.

Look, I make no bones about it: The rush to defeat the Tories was Mach 1 in its magnitude. These folks weren't even given the opportunity to enjoy the luxury of saying, "Yes, maybe things indeed are different." The caps on hydro rates—gone. Hydro rates are going to skyrocket.

Reducing auto insurance premiums: Talk about déjà vu. I happen to remember 1987 and a former Liberal premier, one David Peterson, who said, "I have a very specific plan to reduce auto insurance premiums." He had zip. That's what he had. In fact, insurance premiums continued to go through the roof. I know darned well what's going to happen, because the insurance industry has already predicted that if you try to cap, never mind roll back, rates, the industry simply won't write new insureds' policies. That means more and more drivers—good drivers—are going to be forced into Facility Association, where they're paying \$5,000 and \$6,000 a year. You will overpopulate Facility Association just like you did in the late 1980s when David Peterson did nothing more than write his auto insurance policy hurriedly on the back of an envelope on the campaign bus, having no idea what he had in mind.

All that happened was the insurance industry was allowed to rewrite the rules to make larger and larger profits. When is this government going to learn that the private auto insurance industry in this province can't be regulated? It cannot be reined in. It cannot be controlled. It is a mad dog that can't be leashed. It's a beast that can't be tamed or caged.

You announced freezes? Well, how come, since you announced freezes, my constituency office is deluged, as my colleagues are, with letters from drivers who continue to get 15% and 20% and 30% premium increases, who continue to get mugged by the private insurance industry, who continue to get robbed and rolled and their pockets picked by the private auto insurance industry?

Jeez, I was speculating the other day whether Conrad Black should have gone to jail for stealing the money he stole from Hollinger—Tubby. I fear he's not even going to be adequately investigated. But you know, having said that, the auto insurance industry has stolen more money—I used to be a criminal lawyer. I used to defend some pretty bad people. Most of them were innocent, I want you to understand, but I used to defend some pretty bad people charged with some pretty bad things. I tell you, I've acted for mean bikers with big biceps and tattoos and earrings and piercings, and not one of those has ever stolen as much from as many people as the private auto insurance industry has from drivers and innocent victims here in the province of Ontario.

This government rolls back the 220-threadcount cotton sheets, fluffs up the pillow and crawls right into bed with this very same industry that has been picking the pockets of drivers and innocent victims for all of my legislative

career, the 15 years that I've been here at Queen's Park. So I look forward to this government's, oh, "initiatives" on auto insurance. I look forward to the committee hearings. I look forward because I know that there are some of these Liberal backbenchers who have had experience with the private sector auto insurance industry who know that they're the thieves they are. I look forward to this government having to explain to drivers and innocent victims why it couldn't keep that promise either, just like it made it very clear—the throne speech talked about folks in the broader public sector having to "temper their expectations." We know what that means. As a matter of fact, it sounds very much like what the Tories were touting. It sounds very much like "doing more with less."

And the Oak Ridges moraine. My long-time colleague, Mr Colle—what riding is Mr Colle from so I can refer to him properly? Folks, you've got to help—Mr Colle?

**Interjection:** Eglinton-Lawrence.

**Mr Kormos:** Eglinton-Lawrence. His heart must be broken. I was here when Mr Colle was such a passionate advocate for the maintenance of the Oak Ridges moraine as this unique environmental, ecological space. He and I spent time on committees and we collaborated on some of his legislation—the defibrillator bill, for instance—and it was a pleasure to work with him around some of those bills. I remember Mike's excitement and passion. The voters decided that Mike Colle's excitement and passion at realizing that, my goodness, his party had been elected to government and now they could do what they promised to do about the Oak Ridges moraine—you not only destroyed the future of that sensitive, irreplaceable, environmental, ecological bit of land, but I fear you've broken Mike Colle's heart as well. You've probably broken his spirit. It's one thing to slash somebody with a knife—those kinds of wounds will heal—but you break their spirit and those wounds never heal; the blood continues to seep.

**1920**

So I'm telling you, folks: You've got the Liberals already—man oh man, what am I going to say to my folks down in Niagara Centre, Welland, Thorold, Pelham South, St Catharines or the folks down in Port Colborne and Wainfleet who work so hard, for whom vacations are a rarity? They're the scarce, occasional thing. They save up. Old folks who pinch their pennies all year long so they can maybe spend a week down in Florida in one of those trailer courts with the shuffleboard things and little trailers. When they're down there they go shopping in the supermarket, and they clip coupons when they're in Florida. They deserve that much, but they do that maybe once every two or three years.

The legislators' minimum wage here is 85,000 bucks, with most of these members making well in excess of \$85,000. I want people to understand that. And they're taking a vacation of three months. I'm afraid that—well, I acknowledge it—all of our best efforts aren't going to be able to stop this one. But I call on the public out there,



I call on public opinion to prevail. I call on people to start writing the Premier, to start writing every Liberal backbencher, start writing every Liberal cabinet minister, start writing every newly elected Liberal, saying, "How dare you? You promised. Oh, you were going to be different. You promised you were going to be better than the persons you were running against." You did. You promised that you weren't going to be as slothful and lazy and indifferent to the public as the predecessor government. Well here you are. The colour of the uniforms has changed, but it's the same old palace guard.

I repeat, New Democrats are opposed to this motion. We're eager to work. We will be here come January. There are important debates that have to be held, and it's clear that the Liberals don't want to participate. I thank you kindly, Speaker.

**Mr Michael Prue (Beaches-East York):** It is indeed a privilege to be back in these august halls again. For the new people here in the Legislature, I want to tell you there is no job like this.

**Mr Kormos:** With three months' vacation, no kidding.

**Mr Prue:** And in the three months I hope you don't forget everything you're going to learn here in the next couple of weeks. Because this is a place of tremendous history. This is a place where you can occasionally hear some very erudite and brilliant speeches. It is also a place, unfortunately, where sometimes you do not. Tonight the debate is about extending the calendar. It's about do we work another week and, at the end of that week, how long a period do we take before we come back to do what we were elected to do?

I want to tell that constituency work is an important thing to all of you; it is absolutely important. But I want to also tell you that the public sees our most important role as the role that takes place in these chambers. They see the role of us day after day, night after night, week after week and month after month hammering out the legislation and keeping, if you're in opposition, the government to task. They see that as the number one role. They do not see the others, as important as they are—going and opening fairs and cutting ribbons and meeting with constituents—in the same vein.

I would tell you, in my considered view to all of you, that I have no problem with extending the week. What I have a problem with is that we are then going to take the period from December 18 until March 22 without doing the 100, or should I say 231, important things that this government has set out during the election period that they said needed to be done. We all had many debates and our philosophies may have been different, but all of us from all parties earmarked many of those same 231 problems in Ontario that needed to be dealt with. Some people may have put a bigger emphasis on schooling. Some people may have put a different emphasis on the economy or on auto insurance. But in the end, we were all dealing with the same problems that need to be dealt with.

It comes down to, are we going to be dealing with them properly? Today, a lot of the debate went on and on about who knew about the size of the deficit. All of you heard about the member from Scarborough-Agincourt, who at that time of the former government was the Liberal critic responsible for the finance department. He often went to blows against the Minister of Finance. You have heard what happened in the committee and how he successfully and correctly earmarked the \$5 billion that this province was likely to be in deficit. We all knew that. We knew that in the Conservative Party, we knew that in the Liberal Party and we certainly knew that in the New Democratic Party.

Yet if there is any debate, if there is anything that separates or adds to this, it was during the election campaign when I had the privilege one night to go on TVOntario, Steve Paikin's show. It's called Studio 2. I was asked to go on behalf of the New Democratic Party, because our finance critic was not seeking re-election.

I remember that debate very well that night on television. There was the Minister of Finance, Ms Ecker; there was her Liberal critic, Mr Phillips, the member from Scarborough-Agincourt; and there I was, sort of the rookie finance guy from the New Democratic Party.

I remember the debate very well, because Mr Phillips made a great point, and I think some very good electioneering, on the fact that the Conservatives were going to come in with a \$5-billion deficit. But he was using the same figures.

I remember at the end of the debate, the three-sided debate, turning to him on television and saying, "Mr Phillips, you know full well what is going to happen here. You are saying there's a \$5-billion deficit and we agree with you. There is a \$5-billion deficit. But what you are not doing is being honest with the people of Ontario during this election campaign. You are telling them that there's a \$5-billion deficit, but you are also telling them that you are making these enormous numbers of promises that you cannot fulfill, because at the same time, you have signed a deal with the taxpayers' federation that you will not increase taxes. You can't have it both ways." I told him on TV that night that what was going to happen was precisely what is happening here this week, precisely what has happened since the election.

First of all, they're going to call in the auditors—they picked a good one, Mr Peters; I have no problem with that—and find out how big the deficit is. Then you're going to find out that the deficit is as big as you said it was. Then you are going to say, "Shame on the Conservatives." Then you are going to do one of two things: you are either going to start to say you cannot meet the promises you have made to the people of Ontario, or you are going to say, "We cannot meet the promises we have signed with the taxpayers' federation."

I did not believe that night that both would happen, but in fact this week I have seen that both have happened. We cannot meet the promises. This government cannot meet the promises they have made, and they are now



talking about changing the Balanced Budget Act. I expect that that's going to happen sometime in the very near future. We have seen both.

The Lieutenant-Governor came into this august room just last week and read the throne speech. Unfortunately, it had to be read a second time, so I think we all have it down pretty pat where the government will be going in the weeks and months ahead. But I would tell you sadly that many of the problems that were enunciated, so carefully laid out, and the solutions that were offered to the people of Ontario are not contained in what the government is bringing forth in legislation in this early period, nor do I see any hope for that legislation coming before March 22 of next year. This is a wasted opportunity. It is a wasted opportunity for all of us—those who will propose the laws and those who will criticize them.

We both have important roles in this House, one to advocate on behalf of the government agenda and the other to look for chinks in the armour, weaknesses in that legislation, to argue how it can be done better, to make changes in committee. We have that responsibility to the people who sent us to these august chambers. The election was not just about winning; the election is a covenant with the people who put their faith in you, whether you are a New Democrat, whether you are a Conservative or whether you are a Liberal, to maintain your promises and to do the best that you can. If you betray that covenant early, if you start changing what you stand for early, if you start obfuscating and changing the whole direction that you promised, then I think the faith is lost. With the greatest of respect, Mr Speaker, that is what we must deal with here. Part and parcel of that is being seen by the general public, those who elect us, as not being here when we are supposed to be here.

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I heard the Premier today. He talked of a whole bunch of really great things that I think many of us could agree with, if in fact they are going to be done. He talked about lower class sizes. I have no idea how you are going to lower class sizes without having the teachers in the classrooms; how you are going to go from 25 or 26 children per room to 20 without having the additional teachers, without having the additional caretakers, without having the additional support staff and the secretaries, without having the speech therapists and the psychologists and all those who function in a modern school system. I do not believe that that can be done, quite frankly, unless there are the dollars to do it with.

I understand the difficulties of the government, but I also understand the needs of the parents and the children in those schools. They want to have something done. In the case of Toronto, Hamilton and Ottawa, I will commend the government for acting so swiftly in removing—

**Mr Kormos:** Oh, please. It wasn't that hard to do.

**Mr Prue:** No, in acting so swiftly—the timing was absolutely right—in removing the supervisors. It will give an opportunity for the newly elected people who take office on December 1 in those three very large communities to take their schools back.

But I also have to question: How does this government intend, if we're not going to be sitting, if we have no plan, if we're not back here until March 22—how are we going to strive, as the Premier said today, to have higher student achievements? Where's the plan for this? Certainly the parents who have children in school this year want higher student achievement. They want their children to succeed.

I went to some commencement exercises, as I'm sure most of you did in the last few weeks. There I was in the largest collegiate in eastern Toronto—it's East York Collegiate, in my riding; about 3,000 kids go to that school. It's the double-cohort year. Some 56% of the grade 12 students who were graduating last year are back in the classrooms of the same high school this year: 56%. We need to do something about that. We need to make sure that those students have a brighter future than repeating the last year of high school. I know it may not happen forever. I know the double cohort was a very horrible exercise for many of them to go through, but there is nothing here that's going to be done to help those students—nothing there to do with helping their families.

The Premier talked today too about nurses, doctors and hospital beds and making those so much better. I agree. I think everybody in this room, everybody in this chamber, agrees that this has to be done. But where is the plan to do it if we're not going to be here until March 22? Where is the plan to do it? Where are we going to get those nurses? Where are we going to get those doctors, and, quite frankly, where are we going to build those hospitals? I'm not even going to get into P3s tonight. I'm going to leave that debate for another day, because I think that's a wrong direction this government has gone in already to adopt that.

There was a doctor in my riding who asked me to come and see him. I'm a politician who makes house calls. He was not a doctor who came to me, by the way; I'm the politician who went to him. He is a doctor, but he's not licensed in the province of Ontario. He was born in the province of Ontario. He was educated in the province of Ontario. He went to school in the province of Ontario. He did his undergraduate degree at the University of Toronto. He did his postgraduate degree at the University of Toronto. But then he made a huge mistake—at least it seems now to me to be a huge mistake. He went to Germany to finish his doctoral studies, having been told that they would be recognized in Ontario. He has since come back to this province. He has come back to this province and has applied I don't know how many times to be a doctor in Ontario. He has been told that cannot be done because the first thing he must do is to pass an English proficiency exam. There are no exceptions to this rule, even for someone who was born here, even for someone who was educated here, even to someone who has spent virtually his entire life here. Unfortunately, he can't do that. He's going back and forth between here and Germany because he has to provide a living for his wife and children, and he cannot do that.



The last government said they were going to do something to change this. I have already written a letter to the minister responsible for doctors, the Minister of Health, and I have yet to receive a reply. I understand he's busy, but this is something that could easily be dealt with. This is something that could help this doctor. It would help the citizens of Ontario, in having another recognized doctor, to let him write the test in Germany, if he needs to write the test, so that he isn't flying—and he does fly back every three months. But if he misses the day, he can't do it. Understand that his credentials are recognized throughout the European Economic Community. They are not something that we need to fear, but it is certainly something that needs to be addressed, even if he has to take a short refresher course or has to apprentice himself to a doctor in Canada. There are some who are willing to do it. Where is the discussion about that? That needs to be done and needs to be done now. There are hundreds of doctors needed throughout Ontario, mostly in smaller communities, cases exactly like this that are not getting an opportunity.

Where is the problem? The Premier talked today about strong communities. Where's the strong community in Toronto? We have a new mayor. I saw the news tonight. The city of Toronto is \$355 million in the red in trying to get ready for this year's budget cycle. There was supposed to be two cents on the gas. Where's that? We're not doing that. Between now and March 22, when the city of Toronto will finalize their budget, there will be nothing done. Therefore, it is impossible for the city of Toronto, facing a \$355-million budget crunch, to remedy that. They were looking forward and they were hoping that a new government might be just a little bit better in terms of understanding the needs of our particular city and our particular community.

What about the tenants who looked forward to the new government being able to introduce better legislation under the Tenant Protection Act, as they were promised? There is nothing that is going to be done for them between now and March 22, not one thing.

What about the auto insurance? People have talked about that tonight. During the election campaign, I had an opportunity to knock on a gentleman's door. His auto insurance went from \$165 per month to \$680 a month. Granted, he did have a speeding ticket and he did have an accident within that period, but he'd been driving for years and it just seemed that those two things came together. It went from \$165 a month to \$680 a month.

**Mr Rosario Marchese (Trinity-Spadina):** For how long?

**Mr Prue:** A month. There it is. Who is saying anything about him? It's all right to freeze the rates. He doesn't want his rates frozen at \$680 a month. He does not want that. I don't think it's fair to him, having had one ticket and one minor fender-bender, to have to put up with rates that skyrocket like that. A small increase, maybe.

We have the problems of the Oak Ridges moraine. They've been talked about many times today, but we

have a government that promised to do something and now seems to be backing off on those promises.

And last but not least, because I want to leave some time for my friend the member from Nickel Belt—

**Mr Gilles Bisson (Timmins-James Bay):** I thought I was your friend.

**Mr Prue:** —yes, you're my friend too—is the whole problem about autistic children. I stood in this Legislature during the last session and I heard speaker after speaker stand up from the Liberal Party and from the New Democratic Party, and even some from the Conservative Party, and talk about the plight of autistic children.

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**Mr Kormos:** Kids with autism.

**Mr Prue:** Yes, these children who can be helped, these kids who, if you get to them early enough, can be saved for their entire life. You need intervention therapy, and it has to be fast, it has to be rapid and it has to be early.

I ran into two—

**Mr Dunlop:** What did the NDP put in? Not a nickel.

**Mr Prue:** I don't know why you're heckling me. You should be heckling them. You're on this side now; you've forgotten. You're on this side, OK?

IBI is a new development that is working quite brilliantly, and there are children out there who can have tremendous benefit from IBI. They just need an opportunity.

In the last two or three weeks I have run into two families in Beaches-East York who are having huge problems. One, although the child has already been accepted to the IBI program, had to be removed from the socialization program that allowed him to play with kids his own age, his own peers, which is a huge developmental need that they have as well. Where is the government dealing with this?

The other family is in an even more precarious position because their child, although he is now two and a half years old and has been clearly said to have autism, has been told that the waiting list is going to take at least a year or a year and a half to get to him. He started out as number three on the list. After three months, the worried parents phoned back to find out if he was now number two or number one, if his turn was about to come up, and he was told he was now number four on the list because someone from a community outside of Toronto had moved into Toronto and had bumped him. So that child now is waiting for at least a year. The formative time, the time that he can best be helped, is now, and we are going to have to wait.

These are the issues that the government must face. These are the issues that the government must put its mind to. With all respect, you cannot put your mind to those pressing issues for the needs of these people, of these families, who want and need and are looking to you for guidance, are looking to this government to do something, if you are going to take a hiatus, a vacation, an absence—call it whatever you want—between December 18 and March 22.



If you truly have an agenda, if you truly want to be able to do something, if you truly want to help the people of this province, if you truly want to right what you think are wrongs of the previous government, or governments—I don't care; let's go back 50 years—then you have an opportunity to do it now. If you waste that opportunity and if you vote for this motion and take an extended period off until March 22, all of those people who are relying on you will be the losers.

The voters are very unforgiving. If they think that you are not doing the job that they have elected you to do, they will remember, and in the end they will not be the losers; those of us who are not doing our jobs will be.

**Ms Shelley Martel (Nickel Belt):** It's a pleasure for me to participate in the debate this evening. I want to make a few comments with respect to the remarks I heard from the government House leader. He began his remarks by talking about who talked about the deficit and he raised the name of Erik Peters. I have lots of time for Erik Peters, because I have been the NDP representative on the public accounts committee since 1996, so I've had lots of opportunity to work with Erik Peters.

It's worth pointing out that Erik Peters talked about the deficit after the election, after he had been hired by this government to take a look at the books. I waited, and it looks like I waited in vain, for the government House leader to talk about one of his own who talked about the deficit long before the end of the election—about six months ago. That colleague of course was Mr Phillips, the Liberal finance critic, the member for Scarborough-Agincourt. Mr Phillips talked long and extensively about the Tory deficit. In fact, Mr Phillips was down in the standing committee on estimates on June 3, and it's worth pointing out that he was there, because the committee was dealing with the estimates for the Ministry of Finance. Specifically, the committee was dealing with the budget that had been tabled at the end of March. Mr Phillips, on behalf of the Liberal Party, was questioning Madame Ecker and Deputy Minister Christie about the shortfall in that particular budget, and he was very clear in his questioning at that time. This is in Hansard, June 3. I recommend it to all the Liberal backbenchers. Here's what he had to say: "We've been adding up the risks in the budget this year." "Risks." Don't you like that?

**Interjection:** "We, the Liberals."

**Ms Martel:** "We" meaning "We, the Liberals," because of course he's in committee representing the Liberal Party. As a matter of fact, he is the Liberal finance critic. That's what he's there for. That's what he's doing.

"There's \$850 million of new money for SARS. There's \$800 million of unidentified savings. You just said"—he's quoting Madame Ecker—"We're going to find \$800 million of savings," but you haven't identified any of them. The normal savings is \$200 million, so that's four times what you normally have. There are \$2.2 billion of unidentified asset sales—you won't tell us any of those"—neither did the Liberals during the campaign,

but they were only going to sell off \$900 million worth of public assets—"and risk of an economic slowdown, \$600 million."

Here's Mr Phillips again to Madame Ecker: "I simply want to know because we're adding up the risks"—we in the Liberal Party—"...and we've come to \$4.2 billion, and here's another \$770 million, which gets us up to a \$5-billion risk." That's the Liberal finance critic, June 3, in the estimates committee, talking about a \$5-billion risk. Mr Phillips is there representing the Liberal Party. In fact, Mr Phillips had been the finance critic for many years. He knew what he was talking about. I assume his leader, Mr McGuinty, knew what he was talking about in committee. The rest of us who watched it on TV that day—and I was one of them—knew what he was talking about. He was talking about a \$5-billion deficit, and what was the Tory government going to do about it?

That didn't stop Mr Phillips, Mr McGuinty and the Liberals from going out and making 231 promises to voters in Ontario in order to win the election, and that's what they did. The question I ask those who are watching tonight is, did they ever really have any intention of meeting those promises? How could they if they knew, as everyone else in this place knew, that there was a \$5-billion deficit? Did they have any intention of meeting those commitments? Well, I think hardly not, because the throne speech last week certainly set the table for a hasty retreat, a hasty backtracking by this Liberal government from the promises they have made.

That's why we are dealing with the motion that we're dealing with tonight, a motion that would have the House sit one mere week more here in December—

**Mr Kormos:** Maybe.

**Ms Martel:** —maybe—and then a three-month vacation from this place, so that there won't be question period, so that ministers won't be in this place having to answer questions and being accountable for the 231 election promises that were made.

I disagree, obviously, with the motion that would have this House not sit for three months so that we can't hold the government accountable, but I can understand why the government members don't want to be here. I can understand, because we haven't even been sitting for—what?—one day and this government has broken a number of its election promises. Never mind those that are going to be delayed; let me talk to you about some of the ones that have already been broken.

Let's deal with the Oak Ridges moraine. Here's what the Liberals said: "The Eves government"—the Eves government; I love this—"secretly approved a plan to build 6,600 new homes on one of the most sensitive spots on the [Oak Ridges] moraine in Richmond Hill. We will stop their construction." That's from Growing Strong Communities: The Ontario Liberal Plan for Clean, Safe Communities.

Here we are just on Friday and there's poor John Gerretsen, Minister of Municipal Affairs, out trying to tell us how they didn't really know—I don't even know what he said. It doesn't matter; it was a broken promise.



Here we are, despite emphatic pre- and post-election commitments to put an end to the 6,600-unit development north of Toronto, and the government has instead been reduced to trying to extract what it can for the land developers.

Here's Dalton McGuinty: "We're going to make the very best of a bad situation." But it was OK for Dalton during the election and after the election to be telling voters and the media, "We will stop the construction of 6,600 units." What do we have going on there now? We have 5,600 units. Please.

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Here's the second broken promise from David Ramsay, October 3, 2003: "The number one issue is the Adams Mine. My pledge is that we will put it to bed once and for all. We've got to kill that project," said David Ramsay, Minister of Natural Resources who, incidentally, represents the riding where the Adams Mine is located. What happened? Well, late on a Friday night about two weeks ago, at 5:30 in the afternoon to be exact, the Minister of the Environment allowed a permit to take water. The current application is to de-water, or pump out the natural water, so that the proponent can do preliminary construction work. Does that sound like putting the end to this project once and for all? Does that sound like, "We're killing this project?" Absolutely not. Here is the first step for this government to break its promise to the people in Timiskaming and to allow the proponent to haul garbage out of Toronto and put it in that pit. Shame on this government. They're not hauling out water in order to bottle it; they're hauling it out so they can have an empty hole to put in Toronto's trash. And I hope the people of Timiskaming remember, when that first train load of garbage comes through, what Mr Ramsay had to say about killing that project.

Look, here's one of my favourite ones: hydro. I can't wait until the government does that, and the backbenchers start to get those phone calls from irate homeowners whose hydro bills are going through the roof. Here's the promise from Hydro You Can Trust: The Ontario Liberal Plan For a Model Public Hydro: "We will keep the price cap in place until 2006. We do not believe that you should pay the price for the government's mistakes." Here's what Dalton McGuinty has to say now: "'The world has changed,' McGuinty said. 'We now have a \$5.6-billion deficit'" that we pretend we knew nothing about. "'That makes the price cap unsustainable.'"

I already pointed out just how the Liberals knew there was going to be at least a \$5-billion deficit as of last June 3. That didn't stop the Liberals from going out during the election as well and promising Ontario voters that the price cap was not going to be removed, that it was going to remain in effect until 2006. And here it comes, and I bet it's going to come in this session: the legislation to remove the price caps. I can't wait. I can't wait until those irate homeowners start calling Liberal backbenchers.

I remember the scenario in here last fall when the previous government moved to the open market, when they were supported by the current government in that move to a private market. When people started to get their hydro bills, boy oh boy, were there Liberals in this House running for cover last fall. We had Liberal after Liberal up on their feet talking about poor Mrs Jones in their riding who just got a 300% increase in her hydro bill and how was she going to pay it because she was on a fixed income? Liberal after Liberal, in their place, talking about high hydro rates, when the same Liberal government had been a proponent of hydro privatization and deregulation.

I remember the fundraising letter that Dalton McGuinty sent to those energy corporations on Bay Street in the fall of 2001. Dalton and the Liberal Party have been consistent supporters of the move to hydro privatization and deregulation. That's what they said. Then they were scurrying for cover last year when the rates were so high and people couldn't pay their bills. So then, of course, they supported the rate cap because, by God, they didn't want to have to take some responsibility for being supportive of hydro privatization and deregulation, did they?

We should have been in this House last fall debating a bill to return hydro to public power, to have hydro in the hands of a non-profit corporation and sold at cost. All the rate cap removal will do is pick the pockets of Ontario seniors and small businesses even further, because the price we're going to be paying is the price of private power, where private corporations in this province are gouging consumers. We need a return to public power, and we're going to say that again and again when this bill to remove the rate cap comes before us.

Here's another promise made: "The Harris-Eves government opened private two-tier MRI and CT clinics ... [and] is opening the way to ... private hospitals. We will end the Harris-Eves agenda of creeping privatization." Well, do you know what? On Friday afternoon, I saw the Minister of Health pretend that he was actually ending the private hospitals in Brampton and Ottawa. You know what the sad part of it is? We're still going to pay more for those private hospitals, because they are going to be built by the private sector and because there are going to be services that are privatized out. Goodness knows what other details around privatization are in the deals, because this government refuses to release the details of those until after the contracts are signed.

I haven't heard the government say a word about private MRI and private CAT scan clinics. I'm waiting for the government to break that promise too under the guise of not being able to afford to break the contracts because they apparently knew nothing about a \$5-billion deficit, even though the Liberal critic was talking openly about it down in committee on June 3.

There are promises about education, there are promises about the 407 tolls, there are promises about the balanced budget. The list goes on and on.

The reason we're here tonight debating a motion that's going to give us a three-month vacation in very short order is because the government doesn't want to be here to be accountable for the promises that it has already broken and for the promises it's going to continue to break, never mind the delay in promises like 8,000 nurses, a cap on class size, raising the minimum wage and dealing with autistic kids. This government clearly said it would provide the IBI treatment to kids over six. The government doesn't want to be here because we would make it very clear that it continues to break those. We'll just find other ways to do that same thing.

**The Acting Speaker (Mr Jerry J. Ouellette):** Further debate? Seeing none, is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

I think the ayes have it.

Call in the members; this will be a 30-minute bell.

"Pursuant to standing order 28(h), I request that the vote on the motion by Mr Duncan be deferred until November 25, 2003."

The vote is deferred.

**Hon Mr Duncan:** I move adjournment of the House.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

This House stands adjourned until 1:30 of the clock.

*The House adjourned at 1958.*



# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Speaker / Président: Hon / L'hon Alvin Curling  
Clerk / Greffier: Claude L. DesRosiers  
Deputy Clerk / Sous-greffière: Deborah Deller  
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Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton West / -Ouest	Marsales, Judy (L)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon / L'hon Leona</b> (L) Minister of the Environment / ministre de l'Environnement
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Huron-Bruce	Mitchell, Carol (L)
Beaches-East York / Beaches-York-Est	Prue, Michael (Ind)	Kenora-Rainy River	Hampton, Howard (Ind)
Bramalea-Gore-Malton- Springdale	Kular, Kuldip (L)	Kingston and the Islands / Kingston et les îles	<b>Gerretsen, Hon / L'hon John</b> (L) Minister of Municipal Affairs, minister responsible for seniors / ministre des Affaires municipales, ministre délégué aux Affaires des personnes âgées
Brampton Centre / -Centre	Jeffrey, Linda (L)	Kitchener Centre / -Centre	Milloy, John (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Brant	Levac, Dave (L)	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Lanark-Carleton	Sterling, Norman W. (PC)
Burlington	Jackson, Cameron (PC)	Leeds-Grenville	Runciman, Robert W. (PC)
Cambridge	Martiniuk, Gerry (PC)	London North Centre / London Centre-Nord	Matthews, Deborah (L)
Chatham-Kent Essex	Hoy, Pat (L)	London West / -Ouest	<b>Bentley, Hon / L'hon Christopher</b> (L) Minister of Labour / ministre du Travail
Davenport	Ruprecht, Tony (L)	London-Fanshawe	Ramal, Khalil (L)
Don Valley East / -Est	<b>Caplan, Hon / L'hon David</b> (L) Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint	Markham	Wong, Tony C. (L)
Don Valley West / -Ouest	Wynne, Kathleen O. (L)	Mississauga Centre / -Centre	<b>Takhar, Hon / L'hon Harinder S.</b> (L) Minister of Transportation / ministre des Transports
Dufferin-Peel-Wellington- Grey	Eves, Ernie (PC)	Mississauga East / -Est	Fonseca, Peter (L)
Durham	O'Toole, John (PC)	Mississauga South / -Sud	Peterson, Tim (L)
Eglinton-Lawrence	Colle, Mike (L)	Mississauga West / -Ouest	Delaney, Bob (L)
Elgin-Middlesex-London	<b>Peters, Hon / L'hon Steve</b> (L) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation	Nepean-Carleton	Baird, John R. (PC)
Erie-Lincoln	Hudak, Tim (PC)	Niagara Centre / -Centre	Kormos, Peter (Ind)
Essex	Crozier, Bruce (L)	Niagara Falls	Craiton, Kim (L)
Etobicoke Centre / -Centre	Cansfield, Donna H. (L)	Nickel Belt	Martel, Shelley (Ind)
Etobicoke North / -Nord	Qaadri, Shafiq (L)	Nipissing	Smith, Monique (L)
Etobicoke-Lakeshore	Broten, Laurel C. (L)	Northumberland	Rinaldi, Lou (L)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Oak Ridges	Klees, Frank (PC)
Guelph-Wellington	Sandals, Liz (L)	Oakville	Flynn, Kevin Daniel (L)
Haldimand-Norfolk-Brant	Barrett, Toby (PC)	Oshawa	Ouellette, Jerry J. (PC)
Haliburton-Victoria-Brock	Scott, Laurie (PC)	Ottawa Centre / -Centre	Patten, Richard (L)
Halton	Chudleigh, Ted (PC)	Ottawa South / -Sud	<b>McGuinty, Hon / L'hon Dalton</b> (L) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales
Hamilton East / -Est	Agostino, Dominic (L)		
Hamilton Mountain	<b>Bountrogianni, Hon / L'hon Marie</b> (L) Minister of Children's Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance, ministre des Affaires civiques et de l'Immigration		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Ottawa West-Nepean / Ottawa-Ouest-Nepean	<b>Watson, Hon / L'hon Jim (L)</b> Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises	Stormont-Dundas- Charlottenburgh Sudbury	Brownell, Jim (L)  <b>Bartolucci, Hon / L'hon Rick (L)</b> Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Ottawa-Orléans	McNeely, Phil (L)	Thornhill	Racco, Mario G. (L)
Ottawa-Vanier	<b>Meilleur, Hon / L'hon Madeleine (L)</b> Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones	Thunder Bay-Atikokan	Mauro, Bill (L)
Oxford	Hardeman, Ernie (PC)	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
Parkdale-High Park	<b>Kennedy, Hon / L'hon Gerard (L)</b> Minister of Education / ministre de l'Éducation	Timiskaming-Cochrane	<b>Ramsay, Hon / L'hon David (L)</b> Minister of Natural Resources / ministre des Richesses naturelles
Parry Sound-Muskoka	Miller, Norm (PC)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (Ind)
Perth-Middlesex	Wilkinson, John (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	<b>Smitherman, Hon / L'hon George (L)</b> Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Peterborough	Leal, Jeff (L)	Toronto-Danforth	Churley, Marilyn (Ind)
Pickering-Ajax-Uxbridge	Arthurs, Wayne (L)	Trinity-Spadina	Marchese, Rosario (Ind)
Prince Edward-Hastings	Parsons, Ernie (L)	Vaughan-King-Aurora	<b>Sorbara, Hon / L'hon Gregory S. (L)</b> Minister of Finance / ministre des Finances
Renfrew-Nipissing-Pembroke	Yakabuski, John (PC)	Waterloo-Wellington	Arnott, Ted (PC)
Sarnia-Lambton	Di Cocco, Caroline (L)	Whitby-Ajax	Flaherty, Jim (PC)
Sault Ste Marie	Oraziotti, David (L)	Willowdale	Zimmer, David (L)
Scarborough Centre / -Centre	Duguid, Brad (L)	Windsor West / -Ouest	<b>Pupatello, Hon / L'hon Sandra (L)</b> Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
Scarborough East / -Est	<b>Chambers, Hon / L'hon Mary Anne V. (L)</b> Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités	Windsor-St Clair	<b>Duncan, Hon / L'hon Dwight (L)</b> Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement
Scarborough Southwest / -Sud-Ouest	Berardinetti, Lorenzo (L)	York Centre / -Centre	<b>Kwinter, Hon / L'hon Monte (L)</b> Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Scarborough-Agincourt	<b>Phillips, Hon / L'hon Gerry (L)</b> Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement	York North / -Nord	Munro, Julia (PC)
Scarborough-Rouge River	<b>Curling, Hon / L'hon Alvin (L)</b> Speaker / Président	York South-Weston / York-Sud-Weston	<b>Cordiano, Hon / L'hon Joseph (L)</b> Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Simcoe North / -Nord	Dunlop, Garfield (PC)	York West / -Ouest	Sergio, Mario (L)
Simcoe-Grey	Wilson, Jim (PC)		
St Catharines	<b>Bradley, Hon / L'hon James J. (L)</b> Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs		
St Paul's	<b>Bryant, Hon / L'hon Michael (L)</b> Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		
Stoney Creek	Mossop, Jennifer F. (L)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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**Legislative Assembly  
of Ontario**First Session, 38<sup>th</sup> Parliament**Assemblée législative  
de l'Ontario**Première session, 38<sup>e</sup> législature**Official Report  
of Debates  
(Hansard)****Journal  
des débats  
(Hansard)****Tuesday 25 November 2003****Mardi 25 novembre 2003**Speaker  
Honourable Alvin CurlingPrésident  
L'honorable Alvin CurlingClerk  
Claude L. DesRosiersGreffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 25 November 2003

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 25 novembre 2003

*The House met at 1330.*

*Prayers.*

### MEMBERS' STATEMENTS

#### LIBERAL CAMPAIGN PROMISES

**Mr Ted Chudleigh (Halton):** I'm standing here today in utter disbelief about the comments we heard recently from the Minister of Municipal Affairs. When asked why his government was breaking yet another one of their campaign promises, he responded, "Perhaps we were too naive." Too naive? That's meaningful insight into the meaningless workings of this government.

For the Liberal government to simply plead ignorance as an excuse for not living up to lofty campaign promises is simply cheating the people of Ontario.

Take, for example, the Liberal promise to balance the provincial budget. One of the first things Dalton did after being elected was to hire a consultant at \$1,500 a day—which he promised not to do—so that he could try to convince Ontarians that balancing the budget could not be done.

Well, I can assure you that the taxpayers of Halton don't buy Dalton's blame-game deficit, and I'm sure the rest of Ontarians don't buy it either.

Based on our government's balanced budget plan and the tax increases that Dalton has promised as part of his fiscal agenda, the Liberal government should actually be running a surplus. All the Premier and the Minister of Finance have to do is start showing up for work and accepting the responsibility entrusted to them by the voters of Ontario.

Come on, Dalton: You could balance the budget if you had the political will. It can be done. But of course it is always easier for a Liberal to break his word to Ontarians than to show up for work and make tough decisions.

We really shouldn't be surprised that this government's message is, "Promises made; promises broken."

#### VENDING MACHINES IN SCHOOLS

**Mr Lorenzo Berardinetti (Scarborough Southwest):** I would like to take a moment, if I may, to talk about junk food in our schools.

There has been a rising obesity problem among children in this province for some time now. In fact, childhood obesity doubled between 1981 and 1997.

Children spend an average of 28 hours a week in front of the TV, and 26 hours a week sitting in a classroom. By taking junk food out of vending machines in elementary schools, we will be setting a strong example for our children.

We can't promote healthy lifestyles when school boards are encouraged to offer junk food to their students. We should help our children to make healthy choices at a young age, encouraging a new generation to make healthy choices throughout adulthood.

Not only will keeping people healthy save us billions of dollars in health care; it will improve people's quality of life.

#### LIBERAL CAMPAIGN PROMISES

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** Excuses, broken promises and tax hikes: That is what Ontarians will expect from this Liberal government.

In the eight weeks since this government was elected, they have shattered the record book when it comes to breaking promises. Since October 2, all we have heard from the Liberals is: "Balancing the budget is too hard," "Perhaps we were too naive," or, my personal favourite, "This is not the job we signed up for."

Let's be clear. Being the government is not easy. It requires strong political will and the ability to make tough decisions. Perhaps the Liberals across the aisle should take a long look in the mirror and see if they are prepared to make those tough decisions. It is time for this government to put aside the blame-game deficit and start the task of balancing the provincial books.

Mr McGuinty claimed throughout the campaign that he had \$3 billion of savings in his financial plan. Where has that money gone? The Minister of Finance has also stated that the record-breaking Liberal tax hikes, which will be introduced in this House shortly, will result in half a billion dollars of revenue this year. Where will this money be spent?

Mr McGuinty recently announced that he was selling out to his federal cousins by accepting \$300 million in SARS relief. This is less than one third of what the federal government owes provincial taxpayers. Perhaps Mr McGuinty should stand up to his federal friends instead of playing the role of Liberal lapdog and get the rest of the \$1 billion Ontarians are entitled to.

Come on, Mr Premier: No more excuses. Get to work and balance the budget. It can be done.



## PERDITA FELICIEN

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** I stand today to congratulate and celebrate a world champion from my riding, Pickering-Ajax-Uxbridge.

On August 27, 2003, a young lady, Perdita Felicien, won a gold medal at the world championships in track and field, the IAF. This was in Saint-Denis, France, close to Paris. She claimed the world title in the 100-metre hurdles, setting a new Canadian record of 12.53 seconds, at the same time shattering her own personal best.

Perdita grew up in Pickering, attending Glengrove Public School and Pine Ridge Secondary School, and these local public schools were where her track career began. Perdita is an outstanding example and role model for any young Canadian. She's currently in her senior year at the University of Illinois, but Pickering is still her hometown.

In the past three years, she's attained an outstanding array of honours as a university student. Although we won't be familiar with all of the titles, being a Big Ten champion, a national female athlete of the year or an NCAA champion puts into context what Perdita Felicien has accomplished during her university career. She accomplished a world title as a Canadian athlete, proudly displaying the Canadian flag in victory.

With the Olympic Games fast approaching, she's on target for stardom. Perdita Felicien is, and will continue to be, a Canadian hero.

## LIBERAL CAMPAIGN PROMISES

**Mr Garfield Dunlop (Simcoe North):** I rise today to address this government's preoccupation with attempting to, as a Liberal staffer put it in the Toronto Star, demonize the former government.

I understand that the Liberals have spent some 12 and a half years in opposition, but somebody needs to inform them that opposition tactics don't work when you actually are in government. You need to stop making excuses and get on with the job that the people elected you to do.

Thus far, the Liberal government has achieved the following successes: You've broken your promise on the Oak Ridges moraine; you've broken your promise to not raise taxes, with the largest tax increase in Ontario's history; you've broken your promise to not run a deficit, which obviously you're not going to keep; you've broken your promise to not add to the debt—another one; you've broken your promise on hiring private consultants, by hiring an expensive consultant to do some creative accounting for you; and you've broken your promise on the hydro rate cap.

The truth is, this government took office with six months left in this fiscal year. They have plenty of time to turn this supposed deficit into a surplus, but they have yet to take any real action whatsoever. The people of Ontario elected you to make the tough decisions to get the job done. So far, you've proven that the only job you can really do is break promises.

1340

## NEW DEMOCRATIC PARTY AGENDA

**Mr Michael A. Brown (Algoma-Manitoulin):** Thank you, Mr Speaker. I first would like to congratulate you on your accession to the throne. I look forward to working with you over the next while.

I could not believe my eyes yesterday when I witnessed the New Democrats voting against the repeal of the private school tax credit. It seems they are now in favour of funding private education. They are in favour of taking \$500 million out of our public schools to hand to private schools. They are in favour of a plan that even Mike Harris said would "fragment and weaken public education." They're in favour of a plan that uses religious schools as a smokescreen to hand millions to elite private and for-profit schools. They are in favour of the Tory education voucher.

This is also the same party who couldn't make up their minds on the hydro cap. One day, the leader of the New Democrats openly called for a rate cap, and the next day he criticized subsidized hydro. Yet it was only yesterday when the member opposite said, "People living on low incomes and on fixed incomes will be hit very hard, and many people will not be able to pay their hydro bills."

The NDP love to paint themselves as perfectly consistent in every way, but they voted against repealing the private school tax credit and they flip-flopped on the rate cap.

I ask you: How can anyone believe anything the New Democrats say on such important issues as education and energy when they keep changing their position to suit their own interests?

## LIBERAL CAMPAIGN PROMISES

**Mr Norm Miller (Parry Sound-Muskoka):** I rise today to draw attention to the fact that this government has failed to fulfill its vision for Ontario. Its justification for this is to blame the Tories for a deficit, at which it purports to be surprised.

Last June, I sat on the standing committee on estimates and listened to the then Liberal finance critic, who is now Chair of Management Board, state to the committee, and spell out in some detail, that he and his party felt there was a risk of a \$5-billion deficit. That was in June.

In September, the first act of the new Premier was to hire a private consultant, instead of using the acting Provincial Auditor, at a cost of some \$1,500 per day to the taxpayers. They did this so that he could tell them that in fact if his government did nothing over the remaining six months of the fiscal year, there would indeed be a deficit of some \$5 billion, something they claimed they already knew.

I submit that this government has deliberately manufactured a crisis to delay implementing its campaign promises. Worse, this government is now embarking on tax increases that will hurt every sector of the province, from private homeowners to businesses, big and small.

Medium-sized businesses will be paying 12% higher taxes now and 27% higher taxes as of January 1, 2004, than they would have under the past government.

I distinctly remember that the Premier assured Ontarians that he wouldn't raise taxes, but he wouldn't lower them either. What happened to that promise?

### OAK RIDGES MORaine

**Mr Brad Duguid (Scarborough Centre):** I find Tory criticism of the new park in the Oak Ridges moraine very strange indeed. There's the rhetoric and then there's the reality. The reality is that we made the best of their bad deal. The reality is that we've improved environmental protection by striking a new agreement for a bigger, better public park on the Richmond Hill Oak Ridges moraine. The reality is that we were able to reduce the number of housing units on the land by 900. The reality is that we were able to add critical acreage to this park. The reality is that we wanted to do even more, but the reality also is that, given the financial and legal risks of breaking the Tory deal, stopping all development on the Richmond Hill lands would not have been a responsible option for the government or the people of Ontario.

In addition to creating a bigger, better park, we've also expanded the corridor and the wildlife routes. We've protected more of the sensitive lands around Philips Lake, which will be brought into public ownership. We've negotiated a \$3.5-million contribution from the developers to the Oak Ridges Moraine Foundation for the public park. More importantly, we're going to ensure that this kind of deal cannot happen again.

We are also going to introduce significant new planning reforms to protect the public interest and prevent deals like this from happening again. We're going to introduce fundamental reforms on the way land use planning is done in Ontario, and we'll boost environmental protection and make planning processes more open to public scrutiny and participation.

### TAXATION

**Mr Tim Hudak (Erie-Lincoln):** I want to say to my friends and to the folks of the Niagara and Dunnville area: Hold on to your pocketbooks because the real Dalton McGuinty has arrived. The man who looked into the camera with a straight face and said, "I'm not going to raise your taxes," must have had his fingers crossed because yesterday we saw a bill that is the biggest tax increase in the history of the province of Ontario brought to the floor of this Legislature.

Let me tell the folks in Niagara and Dunnville what to expect from the McGuinty tax hike bill. First of all, businesses in Niagara will be facing a tax hike of 27% above what was scheduled for 2004: an ironclad guarantee that jobs will be fleeing Niagara and jobs will be fleeing the province of Ontario.

Seniors who fought for our country, fought for our democracy, helped to build our province and made us the envy of the world are going to get a tax hike jolt of \$475

a household, courtesy of the George Smitherman and Dalton McGuinty tax hike game right before Christmas-time.

With respect to the independent school tax credit, parents who choose to send their kids to independent schools will see \$3,500 less per child had the tax credit been fully implemented, and it's retroactive to January 1, 2003. Not only is that a tax hike, not only is it unfair and wrong, it's mean-spirited to go back to January 1, 2003. Hold on to your pocketbooks; the real Dalton McGuinty has arrived.

### HYDRO RATES

**Ms Marilyn Churley (Toronto-Danforth):** Another day, another broken Liberal promise.

Already Dalton McGuinty has broken promises to stop private hospitals, balance budgets, protect the Oak Ridges moraine and more. Today our broken-promise Premier is going to renege on another one of his so-called ironclad commitments. He's going to scrap the hydro rate cap.

Before the election Mr McGuinty said, "The most important thing to do at this particular point in time is to put a cap on those rates through to 2006." What a difference an election makes. Now our broken-promise Premier says the rate cap has to go.

What does that mean for you, the hydro ratepayer? It means your bill is going to go through the roof, and why? Because Dalton McGuinty isn't going to put a stop to hydro privatization and deregulation. Deregulation lives under Dalton McGuinty and the Liberals. So that big, fat hydro bill you're going to get in the mail—remember, it's not hydro at cost; it's hydro at cost plus a 15% cut for all the private power middlemen who have their hands in your pocket.

New Democrats say it's time to kick the profit-takers, fee-takers and commission-takers off your hydro bill. We need affordable, reliable public power delivered at cost and a real investment in long-term conservation and efficiency programs, not a Premier who breaks his promises at the speed of light.

### LEGISLATIVE PAGES

**The Speaker (Hon Alvin Curling):** I'd like all members to join me in welcoming this group of legislative pages serving the first session of the 38th Parliament.

We have Anna Bronwyn Birss from Parry Sound-Muskoka; Daniel Brett from Scarborough Southwest; Gabrielle Brunet Poirier from Ottawa-Vanier; Joseph Dykstra from Stoney Creek; Emma Jane Graham from Dufferin-Peel-Wellington-Grey; Cameron Greer from Kitchener-Waterloo; Vaibhav Gupta from Mississauga Centre; Julie Harmgardt from Oakville; Katherine Hayes from Don Valley West; Charlotte Heath from Durham; Trevor Kezwer from Thornhill; Laura Konkell from Toronto-Danforth; Gideon Kwinter from Eglinton-Lawrence; Howard Leung from Brampton West-



Mississauga; Christopher McGuire from Lanark-Carleton; Janine Pryce from Leeds-Grenville; Benjamin Skinner from Markham; Umesh Thillaivasan from Scarborough Centre; Olivia Upshur from Beaches-East York; and Mnrue Virk from Etobicoke North.

Would you all join me in welcoming this wonderful set of pages we have today.

## INTRODUCTION OF BILLS

### ONTARIO ENERGY BOARD AMENDMENT ACT (ELECTRICITY PRICING), 2003

#### LOI DE 2003 MODIFIANT LA LOI SUR LA COMMISSION DE L'ÉNERGIE DE L'ONTARIO (ÉTABLISSEMENT DU COÛT DE L'ÉLECTRICITÉ)

Mr Duncan moved first reading of the following bill:

Bill 4, An Act to amend the Ontario Energy Board Act, 1998 with respect to electricity pricing / Projet de loi 4, Loi modifiant la Loi de 1998 sur la Commission de l'énergie de l'Ontario à l'égard de l'établissement du coût de l'électricité.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those against, say "nay."

I think the ayes have got it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1351 to 1356.*

**The Speaker:** Will all those in favour of the motion please rise.

#### Ayes

Agostino, Dominic	Duncan, Dwight	Parsons, Ernie
Arthurs, Wayne	Flynn, Kevin Daniel	Patten, Richard
Bartolucci, Rick	Fonseca, Peter	Peters, Steve
Bentley, Christopher	Gerretsen, John	Peterson, Tim
Berardinetti, Lorenzo	Gravelle, Michael	Phillips, Gerry
Bountrogianni, Marie	Hoy, Pat	Ramali, Khalil
Bradley, James J.	Jeffrey, Linda	Ramsay, David
Broten, Laurel C.	Kennedy, Gerard	Rinaldi, Lou
Bryant, Michael	Kular, Kuldeep	Sandals, Liz
Cansfield, Donna H.	Kwinter, Monte	Sergio, Mario
Caplan, David	Lalonde, Jean-Marc	Smith, Monique
Chambers, Mary Anne V.	Leal, Jeff	Smitherman, George
Colle, Mike	Marsales, Judy	Sorbara, Gregory S.
Cordiano, Joseph	Matthews, Deborah	Takhar, Harinder S.
Craitor, Kim	Mauro, Bill	Watson, Jim
Crozier, Bruce	Meilleur, Madeleine	Wilkinson, John
Delaney, Bob	Milloy, John	Wong, Tony C.
Dhillon, Vic	Mitchell, Carol	Wynne, Kathleen O.
Di Cocco, Caroline	Mossop, Jennifer F.	Zimmer, David
Duguid, Brad	Oraziotti, David	

**The Speaker:** All those who are opposed, please rise.

#### Nays

Arnott, Ted	Hampton, Howard	Miller, Norm
Baird, John R.	Hardeman, Ernie	Munro, Julia
Barrett, Toby	Hudak, Tim	O'Toole, John

Bisson, Gilles  
Chudleigh, Ted  
Churley, Marilyn  
Dunlop, Garfield  
Eves, Ernie  
Flaherty, Jim

Jackson, Cameron  
Klees, Frank  
Kormos, Peter  
Marchese, Rosario  
Martel, Shelley  
Martiniuk, Gerry

Prue, Michael  
Runciman, Robert W.  
Scott, Laurie  
Tascona, Joseph N.  
Witmer, Elizabeth

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 59; the nays are 26.

**The Speaker:** I declare the motion carried.

Introduction of bills?

Statements by ministries?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr Speaker: We haven't done motions yet.

**The Speaker:** I stand corrected. Motions.

## MOTIONS

### HOUSE SITTINGS

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I move that notwithstanding standing order 96(a), the House shall not meet to consider private members' public business on the morning of Thursday, November 27, 2003.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I move that notwithstanding standing order 96(d), Ms Mitchell and Mr Levac exchange places in the order of precedence for private members' public business such that Ms Mitchell assumes ballot item 77 and Mr Levac assumes ballot item 1; and

Notwithstanding standing order 96(g), the requirement for notice be waived with respect to ballot items 1, 2, 3 and 4.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion, say "aye."

Those against, say "nay."

I think the ayes have it.

Call in the members. This is a five-minute bell.

*The division bells rang from 1402 to 1407.*

**The Speaker:** All those in favour will please rise one at a time.

#### Ayes

Agostino, Dominic	Flaherty, Jim	Mossop, Jennifer F.
Arnott, Ted	Flynn, Kevin Daniel	Munro, Julia
Arthurs, Wayne	Fonseca, Peter	O'Toole, John
Baird, John R.	Gerretsen, John	Oraziotti, David
Barrett, Toby	Gravelle, Michael	Parsons, Ernie
Bartolucci, Rick	Hampton, Howard	Patten, Richard
Bentley, Christopher	Hardeman, Ernie	Peters, Steve
Berardinetti, Lorenzo	Hoy, Pat	Peterson, Tim
Bisson, Gilles	Hudak, Tim	Phillips, Gerry
Bountrogianni, Marie	Jackson, Cameron	Prue, Michael

Bradley, James J.  
 Broten, Laurel C.  
 Bryant, Michael  
 Cansfield, Donna H.  
 Caplan, David  
 Chambers, Mary Anne V.  
 Chudleigh, Ted  
 Churley, Marilyn  
 Colle, Mike  
 Cordiano, Joseph  
 Craiton, Kim  
 Crozier, Bruce  
 Delaney, Bob  
 Dhillon, Vic  
 Di Cocco, Caroline  
 Duguid, Brad  
 Duncan, Dwight  
 Dunlop, Garfield  
 Eves, Ernie

Jeffrey, Linda  
 Kennedy, Gerard  
 Klees, Frank  
 Kormos, Peter  
 Kularo, Kuldip  
 Kwinter, Monte  
 Lalonde, Jean-Marc  
 Leal, Jeff  
 Levac, Dave  
 Marchese, Rosario  
 Marsales, Judy  
 Martel, Shelley  
 Martiniuk, Gerry  
 Matthews, Deborah  
 Mauro, Bill  
 McGuinty, Dalton  
 Meilleur, Madeleine  
 Milloy, John  
 Mitchell, Carol

Ramal, Khalil  
 Ramsay, David  
 Rinaldi, Lou  
 Runciman, Robert W.  
 Sandals, Liz  
 Scott, Laurie  
 Sergio, Mario  
 Smith, Monique  
 Smitherman, George  
 Sorbara, Gregory S.  
 Takhar, Harinder S.  
 Tascona, Joseph N.  
 Watson, Jim  
 Wilkinson, John  
 Witmer, Elizabeth  
 Wong, Tony C.  
 Wynne, Kathleen O.  
 Zimmer, David

rate of hundreds of millions of dollars a year. In fact, since the price cap was put in place a year ago, it has cost all of us—every one of us—over \$800 million.

This policy is simply not sustainable, Mr Speaker, and I remind you it is the taxpayers who will ultimately have to pay that price—the same taxpayers who need to know that their government is investing in schools and universities, that their money is being invested in quality health care, that the air they breathe will be safe, the water they drink will be safe and that they'll have better communities to live in.

If we are to provide the people of Ontario with the services they expect and deserve, the 4.3-cent electricity price freeze simply cannot be sustained.

As we all know, the price freeze provides little, if any, incentive to conserve energy. Today, more than ever, it should be obvious that energy conservation is of paramount importance. It reduces the demands on our electricity system and our reliance on coal-fired generation, and in so doing helps protect our environment.

On October 2, the people of this province chose change. They chose a government that would be honest, open and transparent in its dealings, a government that would give them the straight goods.

It's obvious that we need to move quickly away from the current artificially low fixed price to a more sustainable price that better reflects the true cost of electricity. It is for this reason that moments ago I introduced the Ontario Energy Board Amendment Act for consideration by this assembly.

Under the proposed legislation, our government would get rid of the artificially low price cap of 4.3 cents. The new plan would introduce a responsible pricing structure that is fair and predictable for consumers, reflects the true cost of electricity, gets rid of a subsidy that is completely unsustainable, and sends a clear and powerful conservation message to the people of Ontario.

Under the proposed legislation, an interim pricing plan would take effect on April 1, 2004.

The first 750 kilowatt hours consumed in any month would be priced at 4.7 cents per kilowatt hour. Consumption above that level would be priced at a higher rate of 5.5 cents per kilowatt hour. This would better reflect the true cost of electricity in Ontario.

Approximately 60% of Ontario homes use less than 1,000 kilowatt hours per month. Conservation measures could help reduce that consumption level. There are many tips available, and later this year we'll be announcing more conservation initiatives that my parliamentary assistant will look after.

The government will be taking action to improve its own conservation performance. In the coming weeks, the Chair of Management Board will be announcing a new plan to make a noticeable reduction in the government's overall energy consumption.

Since the proposed interim pricing plan would not take effect until April, consumers would have a chance to review their energy use, take conservation measures and, as a result, limit the impact on their electricity bill.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 86; the nays are 0.

**The Speaker:** I declare the motion carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### HYDRO RATES

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On October 30, the Premier asked me to commit to delivering a responsible approach to electricity pricing, one that better reflects the true cost of electricity in Ontario. He asked for a pricing plan and an overall approach to electricity policy that first and foremost would protect Ontario's consumers by providing them with fair, predictable and stable rates.

The Premier also wanted a plan that would encourage conservation, promote a cleaner environment and attract new supply. He stressed that a responsible approach to electricity pricing was one of the government's top priorities, and he gave me 30 days to come up with a plan.

Under the previous government, we saw energy pricing and energy policy treated as some sort of political football.

In the summer and fall of 2002, many consumers, without knowing why, found themselves paying volatile market prices for electricity. Every hour of every day the price changed, sometimes dramatically. Working families, small businesses and individuals on fixed incomes were left very uncertain by the tension this created.

Then, late last year as an election drew closer, the previous government imposed a cap of 4.3 cents per kilowatt hour on the retail price of electricity. The price freeze solved the volatility problem but had the effect of obscuring the true cost of electricity and cutting consumers off from information they needed to make better choices.

As Premier McGuinty has pointed out, the electricity price freeze is contributing to the \$5.6-billion deficit at a



Under our proposed legislation, the interim pricing plan would stay in place until an independent regulator, the Ontario Energy Board, develops new mechanisms for setting prices in the future. The OEB's new mechanisms would be in place as soon as possible and no later than May 1, 2005.

If the interim pricing turns out to be higher than the average market rate, all eligible consumers would receive a credit after the OEB implements its pricing mechanism.

By ensuring that the OEB, an independent body, sets future prices, we can be sure that electricity prices in Ontario will be regulated on the basis of what is in the best interests of the public.

At the same time, we're also taking steps to allow the OEB to protect and renew our electricity grid by ensuring reasonable charges for the delivery of electricity.

Furthermore, beginning March 1, 2004, local distribution companies would be allowed to recoup some of the costs that the previous government had put on hold. This will ease a tremendous financial burden that these local companies, the vast majority of which are owned by municipalities across Ontario, have had to face.

To mitigate impacts on consumers, the Ontario Energy Board would be asked to ensure that these recoveries to local distribution companies are spread over four years. We estimate that this would have a modest impact on the final price to consumers.

As of March 1, 2005, local distribution companies would be allowed to achieve their full commercial return, but only on the condition that they reinvest the equivalent of one year's worth of these additional monies in conservation and demand management programs. This represents an investment of \$225 million, the largest investment in conservation of its kind in the history of Ontario.

As well, the proposed legislation would restore the normal regulatory regime for transmission rates immediately. We don't anticipate that this would increase rates.

This plan would first and foremost protect Ontarians by ensuring a fair and predictable solution to electricity pricing.

Second, it better reflects the true cost of electricity in Ontario today.

Third, it would ensure that our government, and Ontario taxpayers, stop subsidizing electricity consumption and jeopardizing our ability to invest in health care and education.

Fourth, it would send a clear and powerful conservation message to consumers.

Not only does electricity conservation make sound financial sense; it makes good environmental sense. It reduces our reliance on coal-fired generators, and so helps improve our air quality. Our commitment to phase out coal-fired generation by 2007 remains firm.

Finally, it would attract new supply by sending a clear signal that Ontario intends to deal with electricity issues in a practical, sensible and transparent way.

Energy is critical to the safety and comfort of our families and the strength and security of the economy they depend on. It's simply too important to be continually subjected to political whims and whatever opinion polls show to be popular on any given day.

We're giving the people of Ontario the straight goods. We firmly believe that our plan is in the immediate public interest and that it is a major step toward ensuring a safe, reliable and sustainable energy supply for the people of Ontario, for the future of our economy, for jobs in this economy, so we can all grow and prosper together.

1420

**Mr Cameron Jackson (Burlington):** To the member opposite, the only real change you brought to this chamber in the last two days is that you've broken some of the most significant election promises you made to the people of Ontario. You have broken a trust.

On October 29, this government's highly priced and overpaid consultant, Erik Peters, issued his opinion report on this province's finances. Within 24 hours, on October 30—less than 24 hours later—your Premier had a knee-jerk reaction to this manufactured deficit projection.

Premier, on that day you announced that you had broken your election promise—you had broken trust with the people of Ontario—and that you were removing this electricity cap that a year ago you and every single member of your caucus had voted for. Minister, less than 24 hours later you were making one of the biggest decisions that your government is going to make this year.

Did you consult with anybody? Did you consult with your caucus in those 24 hours? No. Did you consult with your cabinet? No. Did you consult with your Minister of Health to ask him what the impact would be on hospitals and whether services will be cut? No. Did you consult with your Minister of Education to determine how many teachers may have to be laid off to keep lights on in our schools? No, you did not. Did you consult with the Minister of Community and Social Services to determine how many daycare centres might have to close spaces because you haven't looked at the impact? No, you haven't done any of that. Did you consult with your caucus to ask them if they've talked to seniors, to the disabled, to farmers, to northerners, to people who will be affected by this decision?

The fact is that they can't even look to your throne speech for any relief. What did you tell them in the throne speech? You said that they had to temper their requests for more. Why do you keep loading more and more costs on to these people? You're providing no help or assistance. The reason you didn't consult with anyone is that you knew all along you were going to change this cap.

There's no way you'll convince this province that you had some revelation after Erik Peters's report. You knew all along. This was deliberate, this was deceptive, and it was wilful on your part to make this change. You knew that new energy supply and production are coming on stream in this province.

**The Speaker (Hon Alvin Curling):** Order. I have two observations: The points you are making must be directed to the Speaker, not across the floor itself, and I'd like you to withdraw the word you used.

**Mr Jackson:** I will withdraw the word. But I still believe it was deliberate.

*Interjections.*

**Mr Jackson:** "Deliberate" has been approved in this House.

**The Speaker:** Order. You know the word that you used. I'd like you to withdraw it without any debate.

**Mr Jackson:** I have withdrawn it.

**The Speaker:** Thanks.

**Mr Jackson:** This decision, Mr Speaker, by the Premier was wilful. There's no question. Make no mistake. You have fooled no one, Premier.

You knew that the energy supply and production were coming on stream in this province, that the previous government's mitigation strategy was beginning to work, that our ambitious green energy program was going to work. You chose this 30-day time frame simply so that your new Minister of Energy could deliver a major speech to the Independent Power Producers' Society of Ontario in Toronto tonight. He will receive the largest applause a Liberal cabinet minister is going to get for this government in the next four years. Why? Because you are clearly signalling today that profiteering is the only way that you're going to save hydro, and that the privatization of some parts of hydro is the only way you're going to be able to save it.

Today's announcement may be good news for investors or for generators or for profiteers. All these people want you to go full steam ahead with your reforms.

Premier, you were forthcoming on November 9, 2002, when you said—you promised the people of Ontario a year ago that you had an immediate plan to get electricity prices down, including immediate price relief, and your new Minister of Energy, Mr Duncan, said in this House, "Dalton McGuinty and the Ontario Liberals will protect consumers, protect average Ontarians, and put the interests of average people ahead of the big corporate interests." That's not what you've done. As recently as six weeks ago, Premier, you promised voters and taxpayers that the cap wouldn't be lifted. Your first act was to sell out voters, and your next act will be to sell off parts of Hydro. You have taken care of your new, special friends.

Mr Premier, you gave speeches in this House—you made a mythical promise that you were listening to people on Main Street, Ontario. It seems to me that all you're interested in is the shortcut you took through Main Street to find your way to Bay Street as the new Premier of Ontario.

**Mr Howard Hampton (Kenora-Rainy River):** On a point of order, Mr Speaker: I ask for unanimous consent to reply to the minister's speech today.

**Hon Mr Duncan:** For up to five minutes, Mr Speaker.

**The Speaker:** Do I hear consent? Agreed? For up to five minutes.

**Mr Hampton:** Here is—

*Interjections.*

**The Speaker:** Could we have the member respond without any heckling. And could you direct your response to the Speaker. Thank you.

**Mr Hampton:** Speaker, we find ourselves in another very interesting day in the Parliament of Ontario. You see, Speaker, we knew in May of last year, we knew in June, in July, in September, that the rate cap was going to cost \$800 million hidden off-book. We knew that. Everybody in this Legislature knew that. What did the Liberals say at that time? Mr McGuinty said, "I think the most important thing to do at this particular point in time is to put a cap on those rates through to 2006." That was Mr McGuinty on Focus Ontario, November 23, 2002. Then, "We will keep the price cap in place until 2006." That was the Liberal campaign document, Hydro You Can Trust, released September 2003. From the London Free Press, September 30, 2003: the Liberals are going to keep the rate cap at 4.3 cents a kilowatt hour until 2006.

I ask, what's changed? We knew in May, in June, in July, in August, in September, that the rate cap was costing \$800 million a year off-book. But at that time, the Liberal position was that the rate cap must stay in place until 2006. Nothing has changed. It's just that now it's after the election; now the promises that were made before the election can be broken.

I want people to clearly understand what's involved here. The Minister of Energy talks about 5.5 cents a kilowatt hour. I happened to bring a little book with me. The weighted price for electricity in this province before the rate cap was imposed last November was 5.6 cents a kilowatt hour. I think the consumers of Ontario ought to know what that means for them. A hydro price of 5.6 cents a kilowatt hour means \$2 billion more taken out of consumers' pockets. That's what it means.

People better also understand that it isn't just the cost of generation of power that's going to go up. As I read the legislation, transmission costs are also going to be allowed to rise, distribution charges are also going to be allowed to rise. So for those people who have that hydro bill now with nine different bills on it, virtually every one of those figures is going to increase. What does this mean? Well, it means that people had better be ready for a hydro bill that at the bottom line is going to double.

The minister talks about people paying the true cost of hydroelectricity. I simply want to remind people at home that in fact you're paying much, much more than the cost of producing electricity.

Let's just take a couple of power dams on the Mississagi River that used to belong to the people, which produced electricity for about a half a cent a kilowatt hour. Right now, the private company that owns those, because they're peaking plants, is charging about 10 cents a kilowatt hour, 20 times what it costs to produce the power. That's what the consumers of Ontario are being asked to pay.

Are there true conservation measures here? The only conservation measure is this: This government hopes that



if they drive up the price, some people will not be able to pay the hydro bill. Let me tell you, that will happen because the reality is—

**Hon James J. Bradley (Minister of Tourism and Recreation):** Is that what you recommended in your book?

**Mr Hampton:** No. What I recommended is that we stop the farce and get rid of the privatization and deregulation of our hydro system.

What you're trying to do is virtually the same thing the Conservatives tried to do, only you're going to try to hide it another way. At the end of the day, privatization and deregulation of our electricity system is going to charge people far more than they should be paying for electricity, it's not going to result in conservation and it's going to kill tens of thousands of jobs in this province, and you're going to hear from the small business sector very soon.

## DEFERRED VOTES

### HOUSE SITTINGS

**The Speaker (Hon Alvin Curling):** We have a deferred vote on a motion by Mr Duncan that, notwithstanding standing order 6(a), the House shall continue to meet until Thursday, December 18, 2003, at which time the Speaker shall adjourn the House without motion until Monday, March 22, 2004.

This will be a five-minute bell.

*The division bells rang from 1432 to 1437.*

**The Speaker:** All those in favour, please rise one at a time and be recognized by the Clerk.

### Ayes

Agostino, Dominic	Eves, Ernie	Mossop, Jennifer F.
Arnott, Ted	Flaherty, Jim	Munro, Julia
Arthurs, Wayne	Flynn, Kevin Daniel	O'Toole, John
Baird, John R.	Fonseca, Peter	Oraziotti, David
Barrett, Toby	Gerretsen, John	Parsons, Ernie
Bartolucci, Rick	Gravelle, Michael	Patten, Richard
Bentley, Christopher	Hardeman, Ernie	Peters, Steve
Berardinetti, Lorenzo	Hoy, Pat	Peterson, Tim
Bountrogianni, Marie	Hudak, Tim	Phillips, Gerry
Bradley, James J.	Jackson, Cameron	Ramal, Khalil
Broten, Laurel C.	Jeffrey, Linda	Ramsay, David
Brown, Michael A.	Kennedy, Gerard	Rinaldi, Lou
Bryant, Michael	Klees, Frank	Runciman, Robert W.
Cansfield, Donna H.	Kular, Kuldip	Sandals, Liz
Caplan, David	Kwinter, Monte	Scott, Laurie
Chambers, Mary Anne V.	Leal, Jeff	Sergio, Mario
Chudleigh, Ted	Levac, Dave	Smith, Monique
Colle, Mike	Marsales, Judy	Smitherman, George
Cordiano, Joseph	Martiniuk, Gerry	Sorbara, Gregory S.
Craitor, Kim	Matthews, Deborah	Takhar, Harinder S.
Crozier, Bruce	Mauro, Bill	Tasca, Joseph N.
Delaney, Bob	McGuinty, Dalton	Watson, Jim
Dhillon, Vic	McMeekin, Ted	Wilkinson, John
Di Cocco, Caroline	Meilleur, Madeleine	Witmer, Elizabeth
Duguid, Brad	Miller, Norm	Wong, Tony C.
Duncan, Dwight	Milloy, John	Wynne, Kathleen O.
Dunlop, Garfield	Mitchell, Carol	Zimmer, David

**The Speaker:** All those opposed, please rise.

### Nays

Bisson, Gilles	Kormos, Peter	Prue, Michael
Churley, Marilyn	Marchese, Rosario	
Hampton, Howard	Martel, Shelley	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 81; the nays are 7.

**The Speaker:** I declare the motion carried.

## PARTY STATUS

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: There's been an unfortunate and regrettable phenomenon of referring to the seven New Democrats in the Legislature as independents. I rise today on a point of order seeking your intervention and resolution of this matter.

In a very brief set of submissions today, I first want to preface my comments by a short reference to the classic work by C.E.S. Franks, *The Parliament of Canada*, page 3: "Within the House of Commons, the basic structure of proceedings is the adversarial format of contest and debate between the government and opposition parties. Issues, representation, elections, and proceedings are all structured around, and dependent for their functioning on, the existence and strength of the political parties." That is from page 35.

I expect you and others who may comment on this point of order to make reference, of course, not only to the standing orders but to the Legislative Assembly Act, specifically subsection 62(5) of the Legislative Assembly Act, and standing order 2, the first paragraph of the standing orders. I want you, sir, to reflect on the history of these two provisions.

One, let us note that the provisions in the Legislative Assembly Act have as their origin the amendments made in 1974 and once again in 1999, when the number was reduced from 12 to eight.

Similarly, the standing orders, according to the information that I've been able to glean, contained for the first time in 1999 the provision defining so-called "recognized party."

It is the irresistible conclusion, when one reads the Camp commission, particularly report number 2, that the provisions in the Legislative Assembly Act flow directly from the recommendations of the Camp commission. That, you'll recall, was Dalton Camp, Farquhar Oliver and Douglas Fisher who, in the last intensive study of the function of this Parliament, did extensive work and made extensive recommendations in five reports.

For instance, in report number 2 of the Camp commission's recommendations regarding House leaders, dated 1973, Camp and the commission recommend that "Formal recognition be given to the House leader of the official opposition, to be seen as such by Mr Speaker, and to the House leader of the third party," and in yet a subsequent recommendation—this is important—that "Salaries be established in the legislature estimates ... for

the House leader of the official opposition, and ... for the House leader of a qualified third party."

In other words, the Camp commission recommendations were for the creation of the status of "recognized party" for the purpose—if you read the Legislative Assembly Act, you note that "recognized party" is the threshold which creates access to the predetermined set of salaries, additional pays and budgetary allowances.

Take a look at the standing orders and you'll see that "recognized party" is defined in standing order 2, there are also frequent references to independent members. In particular, take a look at standing orders 111(b), 31(c), 36(i), 96 and 22.

I put to you, Speaker, that the creation of a class of persons of "recognized party" does not imply that anyone or any group that is not a recognized party is not therefore a party, nor are they necessarily independents, because you also retain the consideration of particular rights and opportunities for independents.

I submit to you, Speaker, that the ruling of Speaker Parent on June 14, 1994, in the federal House of Commons is one that is highly relevant. I had occasion to make brief reference to it yesterday and Speaker Parent, in response to a point of order raised by one Mr Bill Blaikie, who was, and remains, a New Democratic Party representative, a member of the NDP, was in that Parliament of 1994, elected on October 25, 1993, one of nine New Democrats elected. At the federal level there are no considerations of "recognized party" in the standing orders, but there is in the comparable legislation to our Legislative Assembly Act. Indeed, that dates back to 1963, and what began in that House was the adoption of the 12-person threshold by the House procedurally.

Notwithstanding that the New Democrats, having elected only nine, did not meet the threshold either under the legislative provisions or under the common-law standing orders, Blaikie appealed to the Speaker (1) for him and his colleagues to sit together as a caucus rather than be arranged as independents, and (2) for them to be identified and acknowledged as New Democrats, as New Democratic Party members.

I take you to Speaker Parent's ruling of June 16, 1994. Speaker Parent, who was at the time the federal member for Welland-Thorold, said, "Let me now address the two other matters: the designation of members as members of the New Democratic Party and their wish to be seated together...."

"Let us review the current situation. The members of Parliament belonging to the New Democratic Party are identified as such in the debates and on the televised proceedings of the House. They are designated as 'others' in the back row to the left of the Speaker on the seating plan."

In conclusion—and I should indicate I searched for a June 1, 1994, issue of Hansard, where, in contrast to the Hansard of this Legislature of November 19, which lists as is customary all the elected members, again regrettably New Democrats are identified as independents. However, I put to you in the federal Hansard a practice that should

be persuasive and guiding, indeed conclusive for this Legislature, the New Democrats elected to the 35th Parliament: All nine are identified in the Hansard of that Parliament, even prior to the ruling of Speaker Parent, as members of the NDP, as New Democrats.

Parent concludes, "The honourable members of the New Democratic caucus will ... be seated together and be identified as such on the plan." A little bit of additional, but of great, interest: "The honourable member for Beauce will be identified as Independent and the honourable member for Markham-Whitchurch-Stouffville will be identified as Independent Liberal" stand-alones.

#### 1450

He goes on to say, at the final two paragraphs, "Members of the same party will be identified and seated together, with the precedence of their respective leaders determining their place in the sequence."

I demonstrated to you yesterday the history of this chamber in identifying the party label of as few as one member—the case of Joe Salsberg—when he sat as the sole member of the Labour-Progressive Party in the opposition benches, not separated from other opposition members by a disruptive Liberal rump. I referred you to seating plans which had two CCFers identified as CCFers. I demonstrated to you seating plans in which five CCFers were identified as CCFers.

I'm closing my comments by making reference to the Hansard of Monday, November 24, 2003. I find the Speaker, for instance, at page 24: "I'll now recognize the member from the independents, Mr Hampton." I don't point that out to criticize; I point it out to indicate to the Speaker the need for a determination of this matter.

I then look at the Hansard later in the day, page 35: "Hon Mr Duncan: On a point of order, Mr Speaker: I seek unanimous consent to allow the independent NDP members...."

So here we are "independents," then, according to Mr Duncan, "independent NDP members." Although not having access to the formal Hansard transcript of yesterday evening's proceedings, once again we heard references to New Democratic Party members, among others, from members of the assembly.

Anticipating the government House leader's response, I would like to refer to some comments by Mr McGuinty which I believe have laid out the government's position in this matter: a Toronto Star article, November 8, 2003, by one Theresa Boyle, a Toronto Star journalist. I recall the last time in this House that a member of the government challenged a journalist as to the veracity of the quote that was printed: That minister not only was, in short order, no longer a minister, he is no longer a member of this assembly.

Theresa Boyle, in her article of November 8, 2003: "In Kitchener yesterday, Premier Dalton McGuinty said he had 'no difficulty whatsoever' with New Democrats using the party's name in the Legislature and on office doors, insisting the Liberals 'don't have an issue with that,' Canadian Press reports."

I appreciate the Liberal support for my point of order. I wait to see whether the Conservative caucus and their



House leader will oppose us or support us, but I put to you that the Parent ruling is very clear. We weren't elected as New Democrats—

**Ms Shelley Martel (Nickel Belt):** As independents.

**Mr Kormos:** We weren't elected as independents; we were elected, clearly, as New Democrats. We weren't elected as independent New Democrats; we were elected as New Democrats, members of a political party registered and campaigning as such. An independent is precisely that, and this House has seen incidents of independents.

I recall, and you'll take a look on the seating plan of the period from 1990 to 1995, Dennis Drainville, when he left the government caucus to sit as an independent, his seat was in the opposition benches. He sat as an independent. Peter North: another independent. When Madame Boyer was expelled by her caucus, she sought no other party affiliation and sat as an independent. There has been the rare time—one Peter North, who ran and was elected as an independent. We didn't.

I submit to you, sir, that the Parent ruling is binding and that that ruling should guide this Speaker in consideration of these matters and in ruling that New Democrats in this House are to be identified as New Democrats on the seating plan, when we're referred to by other members and on all other official documents of this chamber.

**The Speaker (Hon Alvin Curling):** I recognize the House leader for the government.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I will try to keep my response short.

First of all, what is binding on this House is the standing orders, which we all agreed to and voted upon, including, I believe, six of the seven current independent New Democrats. We have put forward and tabled a motion which will deal with 27 aspects of the standing orders in order to facilitate the participation of them. With respect to the seating issue which was raised by Mr Parent, I would note that that has already occurred here.

With respect to what we call them, again, in this House normally we don't refer to a party. I recognize that he raised specific issues around Hansard and around the television screen which we are quite willing and prepared to look at and likely will be able to agree to. I've asked Mr Kormos to meet to discuss these and to discuss this informally with the official opposition. It would be our intention to try and meet those. I should also point out that Mr Kormos and I are scheduled to meet tomorrow morning. These are the sorts of things the Premier was very clear about.

I respect the fact that they ran as New Democrats and were elected as such by the people they represent. I should also remind you, Speaker, in your consideration of this, that you never recognize a member in this House based on his or her party affiliation. In the case of the official opposition, it's the leader of the official opposition. That's because the history of this place and the history of Parliaments is such that they're designed

around individual members. In fact, party organizations didn't come into Westminster-model Parliaments until probably 200 or 300 years after they had begun. They're a means by which we organize. I respect their need to organize along the lines that they were elected. I believe, sir, that we will be able to resolve these issues in fairly short order, to the satisfaction, hopefully, of all members.

**Mr John R. Baird (Nepean-Carleton):** On a point of order, Mr Speaker: I'd like to briefly comment on the comments made by my friend from Niagara Centre. The whole issue of what constitutes a party for procedural purposes is certainly a big issue that has confronted Parliament. Changes have been made with respect to this. You can look at the standing orders, at the Legislative Assembly Act, at the policies, practices, motions of the Board of Internal Economy; you can also look at precedent.

In 1963, 1966 and 1979, when smaller parties were recognized in various ways for the purposes of procedure and practice federally, there were changes made. Speaker Macnaughton said, "It is not one where the Speaker ought by himself to take a position where any group of members might feel that their interests as a group or party have been prejudiced." But different from Speaker Macnaughton, in our standing orders 1(b) and (c), which was put into the standing orders in 1997, authored by me, it says, "In all contingencies not provided for in the standing orders the question shall be decided by the Speaker or Chair, and in making the ruling the Speaker or the Chair shall base the decision on the democratic rights of members referred to in clause (b). In doing so the Speaker shall have regard to any applicable usages and precedents of the Legislature and Parliamentary tradition." I'll briefly continue. The spirit of protection of minorities of the House should not be entirely based on the generosity of the House.

In my judgment your central role, Speaker, aside from being a parliamentary referee, is to protect the interests and rights of individual members, and in the case of this issue a group of members, albeit small, but nonetheless important. It's your job to be the guardian of the rights of minorities in this place. Our standing orders, specifically in 1(c), give you new powers, authority and ability to enter into such a debate when that generosity has not come about, so it's not a case of unilateral action that's being asked to be acted upon by you.

Speaker Fraser said in a ruling on September 24, 1990: "I also think members should understand that as your Speaker, I have some discretion in dealing with the rights of every person in this House who is in a minority position. I think we have a great tradition of protecting the rights of minorities, and I can assure the honourable member that the rights of minorities will be protected by the Speaker in a way that is both fair and equitable for all other members." And of course there is the Parent ruling, which I won't repeat, given by the member for Niagara Centre.

I'm not one, and I don't think many in my caucus are, who wants to identify our party affiliation on our letterhead, on our Web sites, on our doors—

**Interjection:** Or on the ballot.

**Mr Baird:** —or on the ballot, nor do I think New Democratic Party members do.

1500

Fundamentally, this issue is about respect. I think it's regrettable that the member for Niagara Centre has to stand in this place and raise this issue, because it should be dealt with based on the generosity of all three parties. I say to the Premier, who's here today, that all this party, this group of seven members in our Legislature, is asking for is respect, not just for them as individual members of the Legislature but for the people who sent them to this place and for the people who supported their party in all of our communities. So, Mr Speaker, we ask you to intervene to protect the rights of the minority and to allow what is a very small and reasonable request.

**The Speaker:** Thank you very much, member for Niagara Centre, for putting forward your point of order. I have listened very carefully to all three, and I'm very encouraged that I'm hearing you will be meeting with the government House leader. That is a rather progressive move, because it helps me in making my decision. If you can resolve these problems before they get to me, as you know, my job is much easier. However, if that is not so, then I'll hear all the arguments put forward and come back to you at a time that is reasonable enough to have that decision. Thank you very much.

**Hon Mr Duncan:** On a point of order, Mr Speaker: We have unanimous consent coming forward on women and domestic violence today. Before we seek that unanimous consent, I would seek unanimous consent to allow question period to be one hour, so that question period can happen, and also that the normal amount of time be allotted for petitions.

**The Speaker:** Do I have unanimous consent for an hour for question period? I heard a no.

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** Mr Speaker, I rise today to seek unanimous consent to recognize that today is the International Day for Elimination of Violence against Women and to make a statement and to allow my friends opposite, the members from Toronto-Danforth and Kitchener-Waterloo, each to make a statement for up to five minutes in recognition of the day.

**Mr Baird:** On a point of order, Mr Speaker: I'd like to follow up the comments by the government House leader and again ask for unanimous consent for question period to be considered for the full hour and petitions for—

**The Speaker:** Order. I thought I had dealt with that already.

The member for Etobicoke-Lakeshore has asked for unanimous consent. Agreed? OK.

## VIOLENCE AGAINST WOMEN

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** I rise in the House today in recognition that November is Wife Assault Prevention Month and today, in particular, is the International Day for the Elimination of Violence against Women.

First introduced almost 20 years ago, Wife Assault Prevention Month is, sadly, still needed today. Anyone who has recently read the headlines of our province's newspapers will be only too aware that we must continue to work each and every day to take action to prevent violence against women.

These headlines have been bleak reminders that this terrible crime continues to haunt us all. And it is not only the women in these stories who become the victims; it is their children, their families and their communities. Everyone suffers, and that's why everyone must be part of the solution, not just women.

Our leader, Dalton McGuinty, knows that. I am proud to say that Dalton McGuinty and this government are thoroughly committed to doing more to protect women and children from violence in their own homes and in their communities. So committed, in fact, is our leader that in his first month as Ontario's Premier he met with representatives of agencies who are on the front lines in the fight against domestic violence. So committed is our leader that he has asked me to work with a number of government ministries, and in particular with our minister responsible for women's issues, on an action plan to address violence against women.

Our government will not turn its back on women and children who are fleeing domestic violence. We will work hard so that women have safe, secure options that enable them to escape these threatening situations. We will work hard so that men who assault their partners are held accountable for their actions. We will make improvements in the provision of second-stage housing. We will work with the federal government to amend the Criminal Code and to make it more difficult for accused abusers to make bail, and we will work with police to develop risk assessments for those accused of domestic violence.

Governments alone cannot prevent violence against women. Everyone must become more involved. We will be working with our partners to get their advice on the best ways to address domestic violence issues, and that work has already started.

I would like to draw your attention today to two campaigns dedicated to preventing violence against women. The White Ribbon Campaign, which runs today through December 6, started 12 years ago. The white ribbon is now nationally recognized as a symbol of men's opposition to male violence against women. Wearing a white ribbon is a personal pledge to never commit, condone or remain silent about violence.

On December 6, we will also observe Canada's national Day of Remembrance and Action on Violence Against Women to commemorate the terrible day that 14 young women's lives were so tragically taken at École Polytechnique in Montreal in 1989. Each year, in commemoration of this tragic event and in remembrance of the 14 young women, the YWCA annually mounts its Rose Button campaign. I have both the white ribbons and the rose buttons with me today and I would ask unanimous consent that the members be allowed to wear



these ribbons and buttons during the month of November through December 6.

We have a long way to go to end violence against women, but we are committed to working each and every day to ensure women's safety in their communities and in their homes.

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** I am pleased to participate on behalf of our caucus, in recognition of the International Day for the Elimination of Violence Against Women in this Wife Assault Prevention Month.

Violence against women is a crime and it must be eliminated. Regrettably, each year, thousands of children see or hear violence in their homes. These children are at risk, and unfortunately, they often continue the legacy of family violence. Through prevention programs, we must continue to help children and young people learn how to recognize the signs of an unhealthy relationship. We must continue to make improvements to our system of support for women experiencing violence. There is always more to do.

I'd just like to review at the present time what the outcome of violence sometimes is. Sexual assault: According to Stats Canada, one in three women surveyed nationally, or 39%, have been sexually assaulted. The majority, over 51% of sexual assaults, are committed against women between the ages of 16 and 21 years. This means that by the time these women reach adulthood, far too many women will have experienced this form of violent sexual assault. This is unacceptable.

The physical, emotional and psychological toll of these assaults on women is immeasurable. The impact on their families and on society as a whole is enormous. Violence tears families apart, targets the vulnerable and destroys our communities.

I'd like to share with this House what has been done in recent years to eliminate violence against women, keeping in mind that the job is never done. I've stood in this House since 1990 and heard us all make a commitment.

In 2002-03, we spent over \$160 million on programs and services to combat violence against women. This was an increase of 75% since 1995.

We established the Office for Victims of Crime, the first of its kind in Canada.

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We worked with many community organizations and experts dedicated to preventing violence, supporting victims and educating Ontarians to end violence against women, and we put in place more than 40 programs.

We took action to ensure that the justice system treats victims with the respect and support they need.

We allocated \$4.5 million in funding over five years to create a crisis line for assaulted women so abused women across the province would have access to 24-hour, seven-day-a-week crisis services.

We've made important strides to address domestic violence, including increasing the number of domestic violence courts, and we created the most extensive domestic violence court system in Canada. There will be

54 courts by 2004 providing enhanced prosecution of abusers by crown attorneys specially trained in domestic violence issues, providing support for victims and specialized processing of these cases.

We increased shelter funding by \$26 million over four years to add 300 new shelter beds and to refurbish 136 others, and \$9 million annually was provided in new funding for counselling, telephone crisis service and other shelter supports.

We developed a province-wide, toll-free, bilingual victims' support line that offered referrals to victims' services, information about the criminal justice system and information about the status and scheduled release dates of offenders.

When addressing violence as a learned behaviour, we developed a new feature on the Ontario Women's Directorate Web site called, "Let's talk about it." Created for young men and women, "Let's talk about it" helps teens to learn how to recognize the signs of unhealthy relationships, identify potentially dangerous situations and learn what constitutes sexual assault.

However, the job is not done, and I was pleased to hear that the government is going to commit to make more improvements to serve women in our province. I would ask all of us, since it is the International Day for the Elimination of Violence Against Women, that we not only consider women in this province but that we reflect on the global fight of women who endure violence every day in many forms in many nations on earth.

I ask, in conclusion, that we include these women in our thoughts, discussions and actions on violence against women, because violence against women is a crime against all humanity.

**Ms Marilyn Churley (Toronto-Danforth):** I am proud once again to have this opportunity to speak on behalf of the New Democratic caucus on Wife Assault Prevention Month 2003. For those of you who have been in this House for a while, you have seen me stand on many occasions to speak on this issue.

What I would like to say is this: We have the knowledge and the power now to press for change. We know now what needs to be done. Expressions of goodwill and hope go a long way, and I know that the members from the Ontario Association of Interval and Transition Houses who were here the other day to talk about their needs and their demands and to issue this report were also very hopeful after a meeting with various ministers in the Liberal government. They expressed that hope, and they were very pleased that they had the opportunity to sit down and discuss the needs that they have to put in place to stop this horrible violence and murder of women and children in our province.

They issued this report. It's not new for us, but it has to remind us once again—when we stand on our feet and talk about these issues, we have to remember that we are talking about real women and children who are now dead. They're listed on this page, and this is just a partial list of the women and children who have died since 1995, which is what this report specifically talks about: "161 women, 21 children, 10 family and friends murdered; a

33% increase in murders of women between 2000 and 2001—virtually all in Ontario.”

We have a daunting task ahead of us, and we must have no more excuses. We must put the resources into the programs that will literally save lives and save the future agony of women and children who are battered and abused for years.

Two of the most important recommendations and advice in this report are this: Women say that they have nowhere to go when they're trying to flee from violence, that there isn't enough affordable housing. Women are saying over and over again that they're forced to go back and bring their children back to their abusers because the affordable housing isn't there. Women say that if they do leave their abusers and do find somewhere to live that they're forced to live in poverty, which they cannot climb out of.

I want to say to the government that we applaud the move to increase the minimum wage to \$8, but I also want to say that it has to be speeded up, that \$8 over a four-year period, as these women analyzed, will not allow these women and children to escape poverty.

So the two most important things needed, as I'm sure all members in this House are aware—housing, affordable housing now.

I want to say to the Premier that I was very pleased to read in this report a statement by him that will go a long way in improving the lives of these women and children, should the government proceed. He was questioning on April 29, 1997, the then Tory government, and in this question about the budget, the Premier said this, and I think we would all agree: “There is a massive human deficit that is mounting in this province. You have become fixated in an unhealthy way with the fiscal deficit at the expense of people in this province. When you cut 24-hour crisis intervention hotlines, human costs add up. When you cut community counselling services, human costs add up. When you cut programs to help women from returning to abusive situations, human costs add up.”

As long as we all move forward together in one voice on this issue, we can make a difference. We know what we have to do.

#### WEARING OF RIBBONS

**The Speaker (Hon Alvin Curling):** The member for Etobicoke-Lakeshore has asked for unanimous consent that members could wear the white ribbons in the House during the months of November and December. Do I have unanimous consent of the House to do so? Agreed.

#### ORAL QUESTIONS

##### HYDRO RATES

**Mr Ernie Eves (Dufferin-Peel-Wellington-Grey):** Mr Premier, this afternoon your Minister of Energy in his

statement included these words, that the people “chose a government that would be honest, open and transparent in its dealings—a government that would give them the straight goods.”

How can you stand there as the Premier of this province today and tell the people of the province that you've been open, honest and transparent when for months, for over a year now, you've been telling the people of this province that they could count on a 4.3-cent rate cap until 2006? Do you think you've been honest, open and transparent with the people in the last year?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I want to thank the Leader of the Opposition for his question. I think one of the questions that the people of Ontario have been asking is, “Why is it that this rate cap was not in effect and in fact revenue-neutral, because the Leader of the Opposition as Premier maintained that in fact it would cost us nothing?” Mr Peters made it abundantly clear in his report that that price freeze is costing hundreds of millions of dollars and it's compromising our ability to adequately fund health care and education. To keep that price freeze in effect would be irresponsible. One of the things the people of Ontario said on October 2 is to bring a responsible approach to Ontario government for a change, and we are doing that.

1520

**Mr Eves:** With all due respect, there is nothing in Mr Peters's report that provided any new information to you or the government. You may choose to use that as an excuse.

Mr Premier, did you mean these statements when you said them? “What price would Bruce Power get for the electricity that they generate? Four point three?” McGuinty: “Four point three would be the price cap that we keep on.” “But you said you'd get rid of the competitive market.” “Four point three cents is the price that we are going to keep on our bills. Four point three is what we are going to keep on the price cap. We're going to keep that price.” “So are you running on a promise then to raise hydro rates?” This is on August 21st of this year. “No.”

Today, your Minister of Energy stood in his place. He has introduced a minimum 10% increase in the actual price of producing the product of electricity in the first place, up to 25% for families that use more than 750 kilowatt hours a day. I would suggest that that will include nowhere near the majority of families in the province. You haven't talked about the extra cost that you're allowing distributors, pointed out by Mr Hampton, to consumers as well—

**The Speaker (Hon Alvin Curling):** Order. Premier?

**Hon Mr McGuinty:** We are acting decisively and responsibly. We're bringing a pricing regime to Ontario that is fair and balanced. It will encourage conservation. It will discourage waste. It will encourage private sector investment and ultimately the construction of more generation. We are not going to shrink from this respon-



sibility, I say to the Leader of the Opposition. This is not an easy thing to do, but we're doing it because it's the right thing to do for the people of Ontario.

**Mr Eves:** The Premier just got through saying that he's open, transparent and that's how his government is dealing with this issue. A few moments ago we checked the Liberal Party Web site on this issue, so as of about two minutes ago, this is what your party stands for. You're saying that you're open and transparent. "We will keep the price cap in place until 2006 ... But the cap cannot last forever. You deserve a government that will plan ahead, so that when the price cap is lifted in 2006 you will have the ability to control your costs." Now, which statement is right? The one that he made in here today or the one that's on your Web site as I speak?

**Hon Mr McGuinty:** I want to remind the members of this Legislature that the Leader of the Opposition, when he served in this capacity as Premier, changed his mind 11 times on hydro. We have acted decisively and responsibly. We're bringing fair, balanced and appropriate pricing to electricity in the province of Ontario.

I am convinced that the Leader of the Opposition as well as the members of his party would agree in their heart of hearts that this is the right thing to do; it is the responsible thing to do. It encourages conservation. It protects those who use little electricity, those in lower income groups. It will encourage private sector construction of generation. It does all the right things for all the right reasons. I'm sure they would agree with that.

## TAXATION

**Mr Ernie Eves (Dufferin-Peel-Wellington-Grey):** Do you believe, Mr Premier, that you have kept your promise to the people of the province of Ontario with respect to taxation? Do you believe that you are delivering, in the omnibus taxation bill introduced in this House yesterday by the Minister of Finance, what you promised before the election on October 2?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Yes, I do.

**Mr Eves:** When you signed the taxpayer protection promise with your new best friend, Mr Williamson—I should say your former new best friend—you said, "I, Dalton McGuinty, leader of the Liberal Party of Ontario, promise that if my party is elected as the next government, I will not raise taxes or implement any new taxes without the explicit consent of Ontario voters and will not run deficits. I promise to abide by the Taxpayer Protection and Balanced Budget Act."

According to Mr Williamson today, you didn't come close to keeping that promise. You have already violated that promise as well. What do you have to say about that?

**Hon Mr McGuinty:** We were very, very clear in the election in terms of what we were going to do with respect to rolling back your irresponsible corporate tax. We were very clear about what we were going to do with the private school tax credit. We received a very clear message—loud and clear, in fact—from Ontario seniors who said they were not going to be bought with your

education property tax credit, who want to invest in public schools instead. We've been very clear.

Unfortunately, what Erik Peters discovered for us and made painfully clear to all the people of Ontario is that you left us with a \$5.6-billion deficit.

**Mr Eves:** In your taxation bill introduced by the Minister of Finance yesterday, one of the most disconcerting impacts is that on modest-income Ontarians, those at the very bottom of the income-taxpaying scale. There has been a program in this province for years, called the Ontario tax reduction program, which removes literally tens of thousands of people from the taxation rolls in this province every year at budget time. Your bill is going to see that those people at the very bottom end of the scale, who are making \$16,000 and \$17,000 a year, are going to get zapped by your bill. Their taxes are going up. Do you think that's fair? Is that what being a Liberal is all about in the province of Ontario today?

**Hon Mr McGuinty:** I'm sure the Leader of the Opposition will want to take the opportunity at some point to correct the record. Taxes are not going up on those people.

Here's the truth: The reality of October 2 is that one of the messages the people of Ontario sent to us was that they want us to improve the quality of our public schools; they want us to improve the quality of our health care; they want us to provide better protections for our environment; they want us to provide greater strength to our communities. That's the reality of October 2. That's our priority, and that's what we're moving ahead on.

## AGRICULTURE INDUSTRY

**Mr Ernie Hardeman (Oxford):** My question is to the Minister of Agriculture. Yesterday's tax-hike bill and today's hydro rate-cap scrap will have a significant impact on farmers and small agribusiness across the province. We have to assume that the government has done research to project the impact these measures will have on Ontarians, seeing as the Premier promised not to raise this cap until 2006.

Will the minister let the House know what type of analysis was done to study the impact that both the tax hike and the hydro hike will have on agribusiness, such as the many greenhouses and small farms in my riding and all across Ontario?

1530

**Hon Steve Peters (Minister of Agriculture and Food):** The Minister of Energy was very clear and upfront. He had the opportunity to meet with representatives of the Ontario Federation of Agriculture to let them know that this unsustainable hydro cap was going to be lifted. We're going to work with the agricultural community to ensure that the impact is as little as possible.

I've assigned my parliamentary assistant, Carol Mitchell, to work as a liaison with the agricultural community so that we can start to look at how agriculture can be part of the solution to the problem we've got. We're

going to look at biodigesters, methane pumps, wind and solar power, and on-farm generation that's going to help eliminate line loss.

We're going to work with the agricultural community. Unlike you, we're not going to leave them behind. We're going to work with them because agriculture can be part of the solution.

**Mr Hardeman:** How can the Minister of Agriculture stand in the House and admit that absolutely nothing has been done to assess the impact on our agricultural community?

I would like to quote from Hansard, November 7, 2002, when you said to the minister of the day, "Minister, you should know what's happening on the farms. Do you know what electricity bills are looking like for Ontario farms right now?... We're not talking about hundreds of dollars; we're talking about thousands and thousands of dollars. You should know that farmers have been hit by two years of drought, and you turn your back on the farmers of Ontario right now. ...and now you're zinging the farmers again when it comes to the distribution of hydro in this province."

Minister, I think those comments relate directly to the bill introduced by your government. Is this is the type of advocacy rural Ontario can expect from the new McGuinty government?

Will the minister commit today to not allowing these changes to go forward until a proper analysis has been done of the impact it will have on rural Ontario? Will you do that for the farmers of this province?

**Hon Mr Peters:** I made that commitment to the farmers of Ontario this morning at the Ontario Federation of Agriculture banquet, that we're going to work with them, that we're not going to leave them behind.

We're not going to do like the previous government did in 2002, trying to hoodwink the farmers of this province. When we talked about a 150,000-kilowatt-hour cap, this government didn't listen.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. Minister, do you want to continue?

**Hon Mr Peters:** They tried to put something through at the very last moment.

We went to bat to advocate for the farmers of this province. The Minister of Energy has done a full cost analysis of this, so you can't say that hasn't been done. As to your comments about tax increases, we're not increasing taxes, former minister. What we're doing is making sure that we're going to make investments and we're going to stand up for the farmers of this province.

## MEAT INSPECTION

**Mr Pat Hoy (Chatham-Kent Essex):** My question is to the Minister of Agriculture and Food. The people of my riding, along with the rest of the province, were shocked by revelations about meat inspection practices in the province. No one wants to have to second-guess the quality of the meat they put on the table.

Under the previous government, the number of meat inspectors was cut from 103 to 10. We have heard allegations of dead stock being used to produce beef for public consumption and about cattle too sick to stand up being taken to meat-packing plants.

Our cattle farmers have suffered greatly and have had to cope with the mad cow crisis and now with this uncertainty among consumers about the safety of our beef. What will you do to improve the trust in Ontario beef?

**Hon Steve Peters (Minister of Agriculture and Food):** I thank the honourable member for his question. I'm as unhappy as anyone in this province with the state of meat inspection. The previous government let this system degrade, and now what we have to do is go forward and expose any and all of the problems in this system.

I have today instructed the Ministry of Agriculture to adopt a policy to post on the Web site all abattoir audit ratings and licence hearing summaries. The government is committed to openness and transparency.

Our government is about action. We're not going to sit around and do nothing like the previous government did. In 2001, they passed the Food Safety and Quality Act. They passed it. They never proclaimed the act; they never put the regulations in place. We're going to take action, unlike that government, that stood back and let this industry take all kinds of abuse.

**Mr Hoy:** I'm sure Ontario farmers and consumers will be encouraged by those positive changes, Minister.

Food safety should be a priority for all governments. I understand that your ministry should not conduct an investigation into its own practice. That could be seen as a conflict of interest. However, we as a government are determined to finally take responsibility to ensure the safety of the food we eat. Perhaps, Minister, you could tell me and the people at large what process will be used to investigate problems in meat safety. We need to know.

**Hon Mr Peters:** I thank the member for the question, and I'll refer this to the Attorney General.

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** I thank the member for Chatham-Kent-Essex. Yes, you are right: The review of our meat inspection practices in Ontario must be fully independent. We made that commitment. This government is going to keep that commitment in order to ensure that the review is at arm's length.

The Ministry of the Attorney General will be taking on responsibility for this review. Ontarians need to have confidence that the review is independent. Ontarians need to have confidence in their meat inspection practices, so that Ontarians can have confidence in the food they eat. We made that commitment, we said we'd get to the bottom of it, and we will get to the bottom of it.

## CORPORATE TAX

**Mr John R. Baird (Nepean-Carleton):** My question is for the Minister of Economic Development and Trade.



I'm tremendously concerned about job creation in Ontario. We're all concerned about our ability to attract new jobs, to attract investment and to attract opportunity. Both the federal government on this side of the border and the federal government south of the border are cutting corporate taxes this year and next, and they're doing it because tax cuts create jobs.

With the big tax-raising bill that your government's bringing in, and as the person responsible for our economic competitiveness around the cabinet table, after your bill becomes law, I'd like to ask the minister: Who will have lower corporate income taxes than Ontario?

**Hon Joseph Cordiano (Minister of Economic Development and Trade):** I know the business community wants to make sure they have a fiscally responsible government at Queen's Park, and that's what we're doing. The business community wants to be reassured that they're not going to face these constant fiscal imbalances in the future. That's just not sound policy. It doesn't create a good business climate for attracting investment.

But let me be clear about tax rates. The Minister of Finance, even after he brings in responsible measures to ensure that we no longer have a fiscal imbalance—Ontario will continue to have one of the most competitive combined income tax rates for corporations in North America. That compares with the national US weighted average, which is about 39.7%. In Ontario it's 36.12%. So we're going to be very competitive. And I'll tell you, we're going to be able to attract even more investment because we're focusing on the right things.

**Mr Baird:** The reality is, Minister, we don't have to compete with the average; we have to compete with individual jurisdictions with more favourable taxation environments. We can't compete on being a right-to-work province. We can't compete on a whole range of initiatives. The fact is, you couldn't stand in your place and, with this big tax-raising bill, name jurisdictions with lower taxes than we would have in Ontario, and that's disturbing. The reality is that both Alberta and Quebec will have lower tax rates than we have in Ontario. The reality is that Alberta, British Columbia and New Brunswick all have small business tax rates that are lower than Ontario in 2003 and now in 2004 and 2005.

How can industry in Ontario depend on you to be their advocate when you don't know which jurisdictions have lower tax rates than Ontario? How can industry in Ontario compete when our taxes are now going up rather than going down? How can we compete with jurisdictions south of the border where they're seeing economic growth rates revised to 8% because tax cuts are fuelling job creation? Can you stand in your place and defend that?

1540

**Hon Mr Cordiano:** Let me give you some numbers. Ontario, as I said, is at 36.12%, the combined federal and provincial rate. Combined state and federal taxes in Illinois, for example, are 39.7%. Let's pick another jurisdiction: New York, just across the border, 39.9%. Let's pick Pennsylvania: 41.5%.

The reason we're going to succeed is because we're going to make sure that we're investing in the right areas. We have a strategy, a cluster approach to growing the economic pie. We're going to make sure we're investing in higher-skilled training; we're going to make sure we have key investments in our post-secondary institutions and that in fact we take the great work that's being done in our post-secondary institutions with respect to research and development and we're going to commercialize that research. We're going to make Ontario a leading jurisdiction in the world to attract investment. I'll tell you, that's a lot of confidence that we're putting forward for the people who are looking to invest in Ontario.

## HIGHWAY IMPROVEMENT

**Mr Bruce Crozier (Essex):** My question is for the Minister of Transportation. It's a follow-up to a letter I wrote to you, Minister, shortly after you were sworn in. In my letter, I reminded you that during the campaign, the now Premier and I made a commitment to the constituents in my riding that the Highway 3 bypass from Leamington to Windsor would be improved to the point of four-laning. I thank you, Minister, for your joint announcement with the federal government on Friday for improvements in my riding to Highway 401. But Highway 3 still remains a significant problem. I wonder if you can provide assurance to the residents of my riding that our commitment to improve Highway 3 will be kept.

**Hon Harinder S. Takhar (Minister of Transportation):** I thank the honourable member from Essex for his question and also for his letter. I know how diligent the member from Essex has been in his efforts to improve the safety of Highway 3 and I commend him for his efforts. I can assure the member that the government is committed to improving highway safety throughout Ontario. Yes, we will improve safety on Highway 3. A planning study is underway for Highway 3 from Windsor to the Leamington bypass. This study is examining safety concerns and will identify any necessary improvements, such as the widening of Highway 3.

**Mr Crozier:** Thank you, Minister. Just prior to the recent election, the previous government of the day said that they would make Highway 3 a priority. I don't know what that meant, but I'm certainly pleased to hear that you and I can work together on the improvement on the Highway 3 bypass and that I can be sure that another four years won't pass before that work is done.

**Hon Mr Takhar:** Once again, I thank the member for his question and I want to assure the member that I will work with him and we will work with the people in your region to make sure that the improvements to Highway 3 take place. The ministry has already made some recent improvements on Highway 3 and installed new traffic signals at Highway 3 and Division Road. Also, we made improvements on Highway 3 and St Clair College in LaSalle. Further safety improvements are currently being examined. We will continue to work to enhance the

safety on Highway 3. I want to thank the member again for his question.

### CORPORATE TAX

**Mr Ted Chudleigh (Halton):** My question is to the Minister of Economic Development and Trade. Why do you support an economic policy that promotes a faltering economy, falling corporate profits and loss of jobs for the province of Ontario?

**Hon Joseph Cordiano (Minister of Economic Development and Trade):** I want to assure the member that what we are putting in place—by acting fiscally responsibly, by putting in place the necessary ingredients to help this province succeed and help businesses succeed, we're going to make sure that they have a very positive business climate. The measures that were introduced by the finance minister will ensure that this province is put on the right footing.

We cannot sustain this deficit. It hurts the business community; it hurts the business climate. We're going to get that deficit under control. That's going to create a positive climate for investment throughout the entire province.

**Mr Chudleigh:** I find the minister's response somewhat contradictory to the actions this government has taken here in this House today.

Your Minister of Finance introduced a piece of legislation yesterday that we all know will significantly increase taxes. In fact, it's the largest tax increase in Ontario's history. November 24 will go down as a day of infamy to the taxpayers in this province. Specifically, taxes on job-creating businesses will be increased, hurting job creation and starting the new year on a grim note for Ontario's economy.

The people of Ontario need to know why you, as Minister of Economic Development and Trade, support tax increases on job-creating businesses.

**Hon Mr Cordiano:** We support fiscal responsibility for this province, something you failed to offer the people of this province, something you failed miserably to do. That's why you find yourselves over there, and we're on this side, because the people of this province knew better.

I'm going to repeat what I said to your—

**The Speaker:** Order. The member for Halton has asked a question. I presume he'll need an answer.

**Hon Mr Cordiano:** I'm going to send this table over to the member for his edification. It clearly demonstrates that Ontario corporate tax rates are some of the lowest in North America. When we compare to Pennsylvania, for example, Pennsylvania has a combined corporate tax rate of 41.5%. The US weighted average, the combined tax rate, is 39.7%. Ontario's tax rate, I repeat, is 36.12%, one of the lowest in North America.

We will compete, we'll attract new investment and we'll keep Ontario's economy growing and vibrant. That's what we're going to do.

**The Speaker (Hon Alvin Curling):** There's an independent member I must recognize. As you understand, you were recognized earlier on, Mr Hampton.

**Mr Howard Hampton (Kenora-Rainy River):** I request unanimous consent of all New Democrats to ask a question on their behalf.

**The Speaker:** I think you can get unanimous consent from the independents, but let me see if I get unanimous consent from the entire House.

Have I got unanimous consent to Mr Hampton—  
*Interjection.*

**The Speaker:** I heard a no.

### MEMBERS' QUESTIONS

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: At the beginning of this week we received advice from the Clerk of this assembly, who indicated that the Speaker would be acknowledging a New Democrat at the eighth question. I appreciate that as an interim approach to the matter, which of course, as you can understand, is going to be addressed.

However, Speaker, I put to you that it is our choice as to who asks that one question, and New Democrats are clearly indicating that it's our leader, Howard Hampton, who is to ask the question today.

**The Speaker (Hon Alvin Curling):** I did not send a message like that around. I said I'd recognize an independent member in advance, but only one person per week, in the sense that we should not repeat that individual.

Mr Hampton had a question earlier on. I am prepared to receive another independent member at this time. If you have none, I shall go to the rotation.

Is there someone from the independents who would like to ask a question?

**Mr Howard Hampton (Kenora-Rainy River):** Speaker, I asked for unanimous consent to ask a question on—

**The Speaker:** You did not get unanimous consent. I'm sorry. Order.

Questions from the opposition?

*Interjections.*

**The Speaker:** I'm sorry. In the rotation, it's the government side now.

**Mr Gilles Bisson (Timmins-James Bay):** On a point of order, Mr Speaker: I want to raise this point with you because this is getting to be a little bit hard to take, to a certain extent.

When you recognize a member from the Conservative Party or a member of the Liberal Party, you refer to them by their riding, and that is appropriate according to the standing orders of this Legislature. But you choose to identify us as independent members, which I am not. I'm a New Democrat, but more important, the rules say you call the member by his or her riding or by his or her title within the cabinet of Ontario. I'm saying, for you to come out and identify us strictly as independents and not call other parties by their party quite frankly is wrong.



1550

**The Speaker:** As you know, I have endeavoured to identify all members by their riding and of course we're struggling at the moment to recognize each one by their riding. I will do so and I have been doing so all day. If that's not the case, I will continue to improve my performance by getting the ridings. I hope, however, that we don't impede this process by getting back to this continually.

### CORPORATE TAX

**Mr Lou Rinaldi (Northumberland):** My question is to the Minister of Economic Development. Minister, we have fulfilled our campaign promise to roll back corporate taxes in order to reinvest in public services. That is what we promised to do during the election campaign and we were elected on that promise. However, there are many businesses in my riding, and my constituents are concerned about the impact of corporate tax on jobs. For many years, the opposition has been hooked on the outdated mantra of tax cuts for the wealthy as a quick-fix solution for creating jobs. We now know that trickle-down economics simply doesn't work any more. How can we ensure that the economy remains competitive in the absence of further corporate tax cuts?

**Hon Joseph Cordiano (Minister of Economic Development and Trade):** I thank the member for Northumberland for the question. Again, I would say that what the previous government did was entirely irresponsible. We're trying to fix the fiscal imbalance that they had left us. But I want to repeat: We will continue to have one of the most competitive tax rates in North America. Again, I want to point out that the tax rate at 36.12% in Ontario will continue to compete very favourably with US states. The national weighted average is 39.7% across the United States. Great Lakes states—their average will be 40.3%. So there is no doubt that Ontario will continue to be a very competitive tax jurisdiction.

**Mr Rinaldi:** Thank you, Minister. It is appalling that the former government wanted to lower the tax rate, down to 25% below our American competitors—this at a time when our public service is suffering. The tax levels are not the main factor in attracting quality jobs in the 21st century. Business executives point to other factors, like high quality of life. They stress the competitive edge of public medicare. Mostly, international investment requires a highly educated workforce. Minister, how are we going to advance our international competitiveness?

**Hon Mr Cordiano:** I couldn't agree with the member more, but let me point out that today the Roger Martin task force on competitiveness and productivity released its second annual report. I want you to hear this, because it's very important. He indicated that there are a number of factors that contribute to competitiveness beyond tax cuts.

"Let's focus on key industry clusters," he said. "Let's promote ongoing skills training. Let's make sure our post-secondary education is more accessible. Let's make

sure that we're capitalizing on the skills and experience of foreign-trained professionals"—very important to our economy. I can assure you that our government is committed to working on all of these fronts. We're going to bring in changes that will see to it that we increase our productivity and that we make Ontario an even better place to live based on quality of life, based on these things that I think Roger Martin has pointed out in his task force.

Let me just add that I congratulate him on the fine work that he's doing for the entire province. Thank you for that question.

### EDUCATION TAX CREDIT

**Mr Jim Flaherty (Whitby-Ajax):** Thank you, Speaker, and congratulations on your appointment. My question is for the Minister of Education, and congratulations on your appointment as well.

As part of the largest single tax increase in one day in the history of the province of Ontario, yesterday you and your government proposed to increase the tax burden on some parents of school-aged children in the province. Not only do you plan to repeal the equity in education tax credit but to do so retroactively, and that goes back to January 1 of this year, which would mean for those families that they would be denied that tax credit not only for the last half of the last school year but for this entire school year, for which they've done their budgeting and their planning for their children based on their choice of education.

The minister knows, or should know, that the vast majority of families that use independent schools are of modest means. They have budgeted their expenses. Two thirds of those families send their children to religious or culturally based schools in the province. There is a cap on the tuition allowance and on the tax credit, as the minister knows. Five other provinces have this type of credit; in fact, the majority of Canadians have it.

What it means for these families is \$1,400 and more each, Minister, and you propose to do this retroactively to these families of modest means in the province of Ontario. How can you justify that?

**Hon Gerard Kennedy (Minister of Education):** The member is talking about a measure put forward by the Minister of Finance. Just to speak to the principle of it: This is a very poor piece of public policy that you engineered as the chair of the education policy committee. Any five children can constitute a school to get money from the government with no accountability whatsoever. It's a very poor piece of public policy. It's being rescinded after having been discussed in the last election campaign.

It should surprise no one that that's taking place, and for the member to allege otherwise is simply to capture as hostage some people's claims. Seventy per cent of the dollars being put forward in this were going to people in secular schools. Frankly, as a piece of public policy, every other jurisdiction that considered this rejected it in

referendum after referendum and said this was bad policy, and the people of Ontario said the same thing in the election just finished.

**Mr Flaherty:** The minister didn't answer the question, of course, about the effect on families of retroactive tax legislation. On this point, 84% of Ontarians in a recent poll agreed that parents should have the right to choose a school for their child that best reflects their personal values and beliefs. A majority of the people of Ontario felt that all schools would improve where school choice was applicable. As I say, two thirds of the independent schools in this province are religious and culturally based.

You and your government believe in religiously based education; you fund Catholic schools beyond Grade 10, beyond the constitutional requirement. The argument with respect to cost in the public school systems is inapplicable because the situation for a child going from an independent school to a public school adds \$7,000 a year in expenses to those schools.

Other than your indebtedness to union leaders, who supported you during the election campaign, how can you justify discriminating against Jewish schools, Muslim schools, Christian schools and other schools of religious denominations in the province of Ontario and our multicultural and multi-faith society?

**Hon Mr Kennedy:** I'll tell you what: We on this side of the House make no apologies for standing up for public education in this province. What we're offering for all the parents in this province is a circumstance that they haven't seen for eight long years, which is improvement in public education. You were proud of your record, a record of increasing private school enrolment by 50%. Not only do I stand with the aspirations of parents who want excellence to be right there in their neighbourhood publicly funded school, but I stand with your leader who called your proposals ludicrous in the leadership contest that you went through.

I am glad to stand in this House and say to parents that what they can look forward to from this government is improvements in education, increasing confidence in public education and all the reason in the world to have their children being part of our publicly funded system.

**The Speaker (Hon Alvin Curling):** As you will observe, it is 4 o'clock, and pursuant to standing order 30(b) I am now required to call orders of the day.

1600

## ORDERS OF THE DAY

### THRONE SPEECH DEBATE

**Hon David Caplan (Minister of Public Infrastructure Renewal):** I move government notice of motion number 9, standing in the name of Mr Duncan.

**Mr Peter Kormos (Niagara Centre):** Point of order.

**The Speaker (Hon Alvin Curling):** Could you wait a bit until the members settle, then I'll take your point of order.

Very quietly, please, so we can proceed with the House.

The member for Niagara Centre on a point of order.

**Mr Kormos:** Speaker, I've read government notice of motion number 9, and I put to you that it is not in order. I refer you to the motion brought on November 20, 2003, which has the same effect and intent as notice of motion number 9. I also refer you to standing order 51: "No motion, or amendment, the subject matter of which has been decided upon, can be again proposed during the same session."

The decision made by this government, its House leader, was to adjourn debate on the motion brought on November 20. That motion is the one that is the operative motion, and this motion is out of order until that motion is withdrawn or resolved. With respect—

*Failure of sound system.*

**Hon Mr Caplan:** On that point of order, Mr Speaker: In fact, the debate was adjourned. This motion would simply renew that debate and make it operative. So it is entirely in order that we should be debating this. The debate was only adjourned on that particular day and can be renewed by this House at any time, and the government so chooses to call this notice of motion for debate on today's date.

**The Speaker:** My understanding is that no decision was made on this motion to dismiss it, so it's still in order. So I'll accept it, as the motion is in order.

**Hon Mr Caplan:** Speaker, thank you for your ruling. I want to first of all congratulate you on your position as the Chair—oh, sorry, do I need to move the motion?

In the name of Mr Duncan, I move that the speech of His Honour the Lieutenant Governor to this House be taken into consideration as early as the first sessional day, following passage of this motion. I so move, Speaker. Can I speak to it now?

**The Speaker:** Mr Caplan has moved government notice of motion number 9.

**Hon Mr Caplan:** As I mentioned at the outset, Speaker, I do want to congratulate you on your ascension to the chair, and I know that you'll do an excellent job.

The people of the province of Ontario spoke very clearly on October 2, that they wanted the government of the day to get on with the business of this province. That is precisely what the speech from the throne did; it elaborated a very broad vision, an excellent one, and the people of Ontario overwhelmingly said we should be moving in this direction. His Honour the Lieutenant Governor read that speech.

By the way, Speaker, I want to tell you that I will be sharing my time with the Minister of Economic Development, the member from York South-Weston, with the member from Prince Edward-Hastings, with the member from Sarnia-Lambton, with the member from Ancaster-Dundas-Flamborough-Aldershot, with the member from



York West and with the member from Scarborough Southwest. I will be sharing my time.

In the very brief time that I'm going to have to address my comments, the people have asked us to get on with their business, and we are doing precisely that. It is really critical that we do this. There are important and pressing matters that this Legislative Assembly has to get down to. Whether it's to roll back the irresponsible corporate and personal tax cuts, whether it's to roll back other irresponsible measures, or whether it's to remove the unsustainable Hydro cap, there is a very heavy and serious legislative agenda.

It is also important that this body, this House, take into account the vision and the words from His Honour the Lieutenant Governor as he so eloquently put it and, I must admit Speaker, as you put it for a second time on that day, an unusual occurrence. Nonetheless, it is important to the people of Ontario that this Legislative Assembly get on with the business of governing this province, of making the positive changes that the people said, with a very strong mandate and a very strong voice, need to happen for our province to move forward, for positive change, for a positive future, and for us to be the best that we can be.

I'm very excited about our legislative agenda over the next short weeks and over the next several years, because there are going to be some wonderful things in this province. I want to give a chance to my colleagues to speak a bit today about some of their thoughts, some of the issues that their constituents talked to them about as they went knocking door to door over the course of the 30-day election campaign.

As I wrap up my comments, I want to give a very special thank you to the people of Don Valley East, who provided me with a renewed mandate to come here on their behalf. I want to let you know, Speaker, that it is for precisely that reason, to represent the people in the great riding of Don Valley East and to do the very best that I can. They said to me that they wanted to see our schools fixed, they said to me that they wanted health care fixed, they wanted a strong community, they wanted investments in transit and housing and clean air and water. They wanted a government with those kinds of priorities. They wanted an end to the irresponsible fiscal policies of the previous government. They wanted an end to the chaos and rancour. I say humbly to the people of Don Valley East that that is precisely what I'm going to do on their behalf in this Legislative Assembly each and every day I am here. It is an honour to serve them and to serve their interests. I do so with my utmost vigour and my utmost concern.

Thank you very much, Speaker. At this point, I'm going to turn the floor over to my colleague the member for York South-Weston, and the rest of my colleagues.

**The Acting Speaker (Mr Bruce Crozier):** The Chair recognizes the member for York South-Weston.

**Hon Joseph Cordiano (Minister of Economic Development and Trade):** First of all, I want to congratulate the Speaker, who is not in the chair at the

present time. I was remiss in not congratulating him. As well, I want to congratulate my colleague who is in the chair at the present time for being re-elected. I do want to pass those regards along.

I think this motion is absolutely critical to us, this Legislative Assembly, and not just for the government. It is important that this assembly move forward with significant and important work that it must debate. After all, that is what members are elected to do in this chamber. They are elected to review the matters that are put before this assembly and review the legislation that is processed by this assembly. Each and every member in this assembly must be given the right to express their views on behalf of their constituents. That's what they're elected to do in this assembly.

I believe the stalling tactics do not advance the interests of the people of this province. We were elected with a clear mandate to bring about responsible change, responsibility in terms of our fiscal situation. We had some discussion about that this afternoon. It's absolutely critical for this province to move forward and deal with the fiscal imbalance that was left behind by the previous government. It's not acceptable that we have a \$5.6-billion deficit that goes unchecked. It's not acceptable that we continue to pretend there isn't a problem that we must deal with. On so many fronts that is the case. That is why it is important for this assembly to begin to debate particularly the speech from the throne, because all members want to be heard and all of their constituents want to hear what they have to say on these important items.

**1610**

This government must move ahead with its agenda. As I say, there's a sense of urgency around which this stalling does nothing more than to waste precious time in dealing with the fiscal imbalance that we face and a number of other areas. The sooner we deal with this, the quicker we can deal with the real questions that Ontario wants us to deal with, the real investments that we need to make in education and in health care and in protecting our environment. Those are the things that I think improve our quality of life. Our economy sustains that. Our economy allows us that standard of living, that improved quality of life.

What we have before this assembly at the present time is a throne speech. Then we move on to other matters. The fiscal measures that have been brought forward by the finance minister must be dealt with in this assembly. We can't put those things off; it would be irresponsible of us—almost as irresponsible as the previous government, which left us with this imbalance. We've got to deal with that, and we've got to move forward with great speed, because if we fail to do that, it makes it that much more difficult to deal with the items and the real issues that people want us to deal with in health care and education.

We have urgent and pressing matters to deal with on the health care front. I don't need to tell everyone that we had a very important debate during the election campaign

with respect to health care and how important it is to deal with the waiting lists, to deal with overcrowded emergency rooms. That continues to be the case, and the sooner we get to deal with the fiscal matters at hand—eliminating the irresponsible tax cuts that were brought forward by the previous government, the tax measures that were entirely irresponsible of the previous government, tax cuts that in many respects resulted in that deficit, in many respects were completely without regard for what had to be done while the province's other priorities went pressing, went forward, and they turned their backs on it. They turned their backs on the matters that we had to deal with, the urgent matters in health care. They turned their backs with regard to what was happening in education.

I would repeat that without dealing with the pressing matters that we had before us—education; let's talk about that for a moment. If we fail to invest in post-secondary institutions, in our post-secondary system, if we fail to meet those needs as we've proposed, then I think we will fall further behind on the competitiveness scale.

Roger Martin, as I pointed out today, brought forward his task force report. It had some very interesting observations. One of them was, as I said earlier in question period, dealing with the matter of investing in post-secondary institutions, in ensuring that we have more opportunities for people to become as highly educated and as highly trained as they possibly can, because that is going to lead to further investment. Around the world, there are 1,200 competing jurisdictions—1,200—that are looking for the same things we are: more investment, attracting that foreign direct investment to our province to create jobs. We're competing with 1,200 jurisdictions.

Tax cuts are not the cure-all; they are not the panacea. It's not the only item that matters. There are critical matters that are priorities in terms of when a company makes investment decisions that go well beyond tax cuts: research and development at our post-secondary institutions and the spinoff that provides for companies; skilled and highly trained workers, who are very, very important. We need to deal with those matters. We need to move on with this debate and deal with what's in the throne speech, because the throne speech, I can tell you, highlights those areas. It's all about improving our quality of life so that we have a higher standard of living. The only way we sustain that standard of living is by making the right investments. In order to do that, we have to deal with the fiscal imbalance that is before us. Unfortunately, we have to deal with that reality. We can't just hide our heads in the sand and pretend it doesn't exist.

This measure today is nothing more than a stalling tactic. It deals with items that are not a priority for the people of this province. It attempts to put off that very important debate that we must have around the throne speech. The throne speech informs the people of this province about this government's important agenda. It lists what it is that the government is going to make a priority—and, I might add, the speech was so good that it was read twice in this House.

I say to you that the throne speech debate, particularly for all of the new members in this assembly, is a very important one for this House to have. It's very important not only for them, but for their constituents to hear the views of the member that they elected. I know that the members of this House want to do the best that they can for the people who elected them and entrusted them to be here in this assembly. But, again, if we have this kind of stalling tactic that's before us, it doesn't allow us to get on with the responsible approach to the matters that are before this House.

I know that there's quibbling from time to time, a great deal of debate around the standing orders of this Legislative Assembly and how they work. The rights of individual members ought to be protected, and certainly they will have their say on that side of the House. The opposition will have their say. Every single member in this assembly will have his or her say. I honestly believe that no member should be denied the right to speak, the right to express himself or herself. That's what a debate of this kind does. It allows members to express themselves. I don't think that these stalling tactics that we see before us are doing anything constructive in that regard.

I say, let's get on with the debate. Let's get on with the important agenda that the people have elected us to deal with. Let's get on with that, because it's very important.

**Mr Ernie Parsons (Prince Edward-Hastings):** I would like to agree with some of the comments from the minister and just say that this to me is a sad state that we have to debate whether we can debate the throne speech.

This is the throne speech itself. We had the pleasure of hearing it twice. I, quite frankly, have read through it and found more in it each time. But to some people, politics is a game. Unfortunately, to some people, politics is a game. It's viewed as, "Can we win points in the Legislature or can we not?"

The object should be, for each and every one here—we have had the truly unique opportunity. We're each one of 103 people in Ontario whom the public has entrusted to be their servant—not to be their master, not to lord over them, but quite the opposite. Each and every one of us is here as a servant.

The message was very clear from the public over the last month that they wanted a change. They wanted a change not just in policies, but they wanted a change in the way things are done. When we look at the number of people who voted in the last election, the numbers of people who stayed away for a multitude of reasons should be a grave concern to everyone in Ontario.

Everyone here knocked on doors. Everyone here heard, "All politicians are the same." Everyone here heard, "My vote doesn't make a difference." Everyone here heard that people felt disenfranchised from the political system in Ontario. Having to debate this particular item today adds to that feeling that we're playing games, that all politicians are the same. They want us to get on and produce a change.

Here we are—for those of you who are watching this debate on TV and may not have realized that what we're



doing at this moment is debating a bill that would allow us to debate the throne speech. That's what it is. I cannot find any record that this debate has ever had to take place before, because it always passed by unanimous consent in every House, everywhere. Let's get on and do the business of the province.

1620

I'm virtually certain everyone knows this is going to pass and, in fact, I suspect the people who have caused this to take place—they want to debate the budget; they want to debate the throne speech; they want to debate the issues that the people in Ontario want changed. Yet we're playing the game to try to obstruct the business of the House.

The election was held in October, the House has been called back as quickly as it can, but still we have the approach of Christmas with a lot of things to be done. One need only quickly peruse through this speech from the throne to see the number of things that very clearly have to be tackled.

The issue of the deficit: I'm of a generation that has enjoyed a lot of benefits that have been provided to the citizens of Ontario, on borrowed money. My concern is that it not be my children and my grandchildren left to pay for the benefits that I enjoyed while a student, while working before I came to the Legislature. I have the obligation to make certain that the next generation and the generation after that have a viable Ontario.

I have a son who's First Nations, and they have a philosophy that I believe we all should subscribe to, which is that we need to do our planning for the next seven generations. The deficit that is facing us could destroy the future for our coming generations. As the Premier very aptly pointed out, the first issue that we have to address is eliminating the deficit—a deficit that didn't exist publicly during the campaign from the former government side, during the so-called budget presentation at the auto parts plant, but a deficit that has to be addressed by this government for the people of Ontario.

I don't think it's the first choice of anyone to deal with the deficit. There isn't a politician here who doesn't like to say yes to a request from the public. We like to make the people of Ontario happy, but we know that the best thing that would ensure their future is to tackle this deficit.

On security: We have to provide for the future security of our citizens. When we look at it, our seniors want good schools for the grandchildren. If we don't address this—I mean, we've got \$280 million going to be bled out of this province right now in added interest payments because of this \$5.6-billion additional deficit. That \$280 million—what would that have done in schools? What would that have done for seniors? What would that have done for hospitals? Money that is producing no benefit for home care—home care that has suffered. If we're going to tackle home care, as the minister responsible for seniors says, we have to put our house in order, and we found the house in a mess.

Public schools: The infrastructure has been in disarray. Public schools had been abandoned by the previous government. We saw all of the energies focused on a particular, very select group of individuals, rather than the average working family in Ontario. So we need to get on with business. We need to get past the actual debate on the throne speech. Yet here we are, tied up, wasting time on a debate about whether we should debate. I abhor that this increases the cynicism that exists among the people of Ontario.

The throne speech itself—unfortunately, not every Ontario citizen has a copy of this, because I really think they would benefit from it. It is a document that you need to read more than once, and thank goodness this time we were able to do that.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** You can't put it down once you pick it up.

**Mr Parsons:** It is. This is great reading. I guess I'm saying it with a smile on my face, but it really is great reading.

I think what is unique—this throne speech reflects our commitments as the Liberal Party during the election. But what I found really great as a candidate, when I knocked on the doors, was rather than my presenting a policy that I tried to convince the voters at the door to subscribe to, I really had the feeling that our policies reflected what the people at the doors believed.

Each of us as opposition members had an infinite number of contacts with various people from Ontario. As the Liberal Party, we went through a process where we had a grassroots organization to bring together what we believed the people in Ontario want. Whether it's walking down the main street of a town or a village or a city, or whether it's reading e-mails, or whether it's talking to people on the phone, we got a very clear message on what the people in Ontario want. They want strong, publicly accessible, publicly funded, open-to-everyone health care.

People say to me, "Boy, it's great that they voted you in for that." Rather than our telling them what they wanted, the people of Ontario told us what they wanted. If I can go back to my first statement: Our role and responsibilities as MPPs is to reflect what the citizens in Ontario want.

People in Ontario are not stupid. I find it invigorating to knock on doors and talk to people. In fact, I do it in non-election years because we need to hear what the real citizens in Ontario have to say. They delivered a clear message to us on health care and on education.

They also delivered a message that I'd love to see reflected in this. They expect to see a tone of respect restored to Ontario. They expect us to not make derogatory remarks about nurses. They expect us to not make derogatory remarks about teachers. They expect us to provide the same respect and the same health care and the same services to people who are financially disadvantaged. There are homeless in our communities and there are homeless we should be concerned about, but this throne speech doesn't say, "Let's pick them up and

lock them up.” We’re going to treat them with as much respect as we will treat the multimillionaire in Ontario. You’re a citizen. There are not degrees of being a citizen in Ontario. You’re a citizen, and the speech reflects that. I can’t recall hearing that kind of language in a throne speech before.

Dalton McGuinty, as Premier, has clearly heard and wants to restore the sense of equality and equity within this province, and I am so pleased to be part of the group that will have the very unique opportunity to do that.

I’ve talked about the need for us to be concerned about the next few generations, seven generations, to ensure that they’re successful. Part of that involves our education system. We’ve had a great deal of discussion earlier today and questions about the tax rate and whether it will keep industry out of Ontario. Well, I’ve talked to people in industries who are considering coming to Ontario, and the first question they’ve asked me is, “What skilled workforce will be available in Ontario?” This throne speech makes a commitment to restore a strong education system, that that’s available. They asked me about our health care system and will they get a doctor, and they asked me about the quality of life. Somewhere way down on the list is the tax rate, because they feel assured that we will have a productive workforce, highly skilled, available to them.

Let’s get into this throne speech and let’s debate it, and let’s quit playing these games about trying to block the business of the Legislature to try to get a little more publicity in the newspaper and a few more sound clips on TV. Let’s remember the real reason we’re here, and the reason is not our party affiliation. The reason is, the people in Ontario gave us a job to do. Let’s get on and do it.

1630

**Ms Caroline Di Cocco (Sarnia-Lambton):** When I sat on the other side of the House, I sat near the member from Niagara Centre—at least closer to the member from Niagara Centre. As I said, I would watch with great interest—let’s put it this way—the creative ways he could find to deal with some of the issues in the House and to garner attention, I would suggest.

I’d also like to say to the member from Niagara Centre that there is a great deal of work to be done in this province, and I believe he understands that. The stalling tactics are not, in my view, a constructive way to get the business of this province done.

This is how important long-term planning is, that government has a methodical and thoughtful approach to governing, a long-term vision, if you want, for the province and how important it is that government has these long-term visions: One of the biggest issues we’re facing in my riding of Sarnia-Lambton is a critical doctor shortage. It is the worst in the province. We have tremendous issues dealing with health care in my riding, and that is a critical situation. I said to some of the experts regarding the doctor shortage, “Why do we find ourselves in this position today? Why is it that we don’t have enough doctors for the population of this area?”

I found out—it was in 1992, I believe—there was a change, if you want, in policy in this province to cut dramatically the number of doctor spaces. I believe it was from something like 780 down to 560. What are we feeling today? We’re feeling the impacts. In 1995, when the new government came into play, they didn’t address this issue. They didn’t look to the demographics of the province that were going to fundamentally change. We had an increase in population, but more importantly, we also had a large aging population. What do we have now? We find ourselves 10 years behind, in this area of doctor shortages, because some very wrong-headed decisions were made early on.

I say this because it is important now for us as a government to move forward with some dramatic changes in this province so that we can have a better future in the next 10 years. On October 2, the people of this province made a very fundamental decision. That decision was that they wanted a restoration of our services to be done in this province and to have a fiscally accountable, responsible approach to doing that. We have, and we are going to maintain that. We are going to give, and we have given, the people of Ontario the straight goods. It isn’t easy to sit back and say, “You know what? We have to have an independent person take a look at those numbers, take a look at what really is the deficit that we’re going to be incurring.” What happened here is that we had to give them the straight goods and we found that we had a \$5.6-billion deficit.

Now that we know that’s the reality, we have to take steps to clean up the mess. If we don’t tackle the deficit we’ve inherited, we’re going to be a lot more troubled in the long term. We have to deal with it and we have to put our fiscal house in order, but we also have to deliver positive change, because that’s what we promised the people of Ontario. We said we are going to deliver on positive change for the province, a new approach.

So what have we done to date? We’ve already delivered on a number of positive changes. We’ve taken two private hospitals in Brampton and Ottawa and we’ve brought them back into the public system. We’ve introduced legislation and we’ve said we would do that: Roll back irresponsible tax cuts, because we’re already competitive compared to other jurisdictions that we compete with, and we can’t afford those tax cuts, considering the fiscal reality we find ourselves in. We have launched an independent inquiry into the events at Ipperwash. It’s about the truth. We promised that we would do that and we have done that because we want to establish the facts surrounding the death of Dudley George.

We also signalled our support for a national health council to improve accountability in our health care system and provide better service to the public.

We have also named a new interim chair to the Ontario Municipal Board, and we have signalled major planning reforms to give people a real and meaningful voice in how their communities grow and prosper. That is meaningful change.



We've also moved forward and are going to fulfill our key commitments to implementing the recommendations of the Walkerton reports, and we have formed two new committees made up of experts to do that. We've stopped the sell-off and privatization of Ontario Power Generation nuclear inspection service divisions.

I remind those of you listening, because you hear the opposition today stand up and consistently say there is a level of irresponsibility, if you will, in our rolling back the tax cuts, when in fact on October 2 the people of Ontario said, "We do not want any more of these tax cuts, because we understand they are jeopardizing our services in this province."

We've stopped the approving of auto insurance rate increases. The last approval of insurance hikes came about when the Conservatives were in power.

We've removed the supervisors in Hamilton, Ottawa and Toronto school boards, and our elected representatives in the government, including non-ministers, have been given more power in cabinet committees, because we're going to be enhancing the role of MPPs and we've done so right from the start.

We're also intending—and this is tremendous; I believe it's going to change our accountability with some of our public sector. We're going to introduce legislation that's going to give the Provincial Auditor new powers to examine the broader public sector. Why? Because Ontarians need more information about how their tax dollars are spent and improved accountability. You see, it isn't enough just to say we have to put more money into something. We have to understand where and how that money is being spent. We know we have to improve and enhance our public sector services. On the other hand, we also have to have a mechanism whereby the people's money is certainly going to be examined as to how and why it's being spent and if we're getting value for our money. I believe the public expects that of us. In other words, we want government to work better for people.

As I finish my remarks, I say that this is a new era in Ontario politics, and four years from now we can say that Ontario will be the better for it.

**The Acting Speaker:** Further debate? The member for Ancaster-Dundas-Flamborough-Aldershot.

**Mr McMeekin:** The riding with the longest name because our people have such big hearts, big hopes and big dreams, Mr Speaker.

**Ms Marilyn Churley (Toronto-Danforth):** What are you saying about my constituents then?

**Mr McMeekin:** Next to Ms Churley's riding of course.

I want to join my colleagues who have articulated so well and so comprehensively the issues before us and the hopefulness that's contained in the throne speech. I don't for a moment pretend to be as earnest as the member from Prince Edward-Hastings, but I'll do my best.

During the election campaign I heard a story that was interesting. It was about the then Premier speaking in Stoney Creek, talking about the fiscal situation in On-

tario, and just then a seagull flew over and laid a deposit squarely in the middle of his head. One of his aides said, "Don't worry, Mr Premier, I'll go get some Kleenex and I'll be right back to clean that up," at which point the Premier turned to another aide and said, "Silly boy, by the time he gets back, that seagull will be 17 miles away." You like that? But, that said, the past is behind us; we need to learn from it. The future is ahead of us; we need to prepare for it. The present is here; we need to live in it.

1640

Living in it means we need to deal with and work with the consequences, the cards, if you like, that we've been dealt. We on this side of the House don't want to be the evil of two lessers. We want very much to chart a new course, to be as concerned about the basic foundational things as the glamorous, starry-eyed policies that we'll eventually get to in our term. But I want to add, in addition to the words of the poet that I shared earlier about the past, the future and the present, that it's not so much what's behind us or what's ahead of us that matters as what's inside of each one of us.

What's inside of us on this side of the House, and hopefully all members of this House, is a very real sense of purpose and a clear and sincere resolve to move forward; to be the change that we want to see in the world, as I think Gandhi once said; to do politics differently; to not just tell people what they want to hear, but to actually be very forthright and truthful in the reality of the situation that we find ourselves in; a resolve to keep the interest of the many ahead of the wants of the few, or the demands of the few—the demands of a few friends, more particularly; to end the wrecking ball politics of the past, which, sadly, left so many good people walking through the rubble, trying to pick up the pieces, with some sober and responsible government.

It won't be easy. Sober and responsible government recognizes the importance, not just of speaking the truth, but of working with all Ontarians to develop that shared sense of purpose. Do you know what? I think it's a sad reflection that we're not really experiencing that shared sense of purpose here today with the kind of shenanigans that are going on from some of the members opposite.

That sound foundation has to be economic, social, cultural and political, for we all know that it's written in the wisdom literature, "Lest we build our house on a sure foundation, the labourer surely labours in vain." Do you know what? I don't want to labour in vain here. There's been far too much of that over the years. I want to work at ensuring a future for the people I represent, who happen to include three teenage girls of my own, who have their own hopes and dreams: two at university, who are working hard to acquire the skills so that they can live to make a difference in our troubled world. I think that's basically all most parents, on a good day, would want their kids to be able to do. We understand on this side of the House that you don't secure that sound foundation, in any sense of the word, by burning storm windows for

heat. That just doesn't make sense. We've seen some of that on the other side: a government that went out and borrowed—

**Mr Kormos:** On a point of order, Mr Speaker: The member used the word “shenanigans.” Is that parliamentary?

**The Acting Speaker:** In my view it is, and that's not a point of order.

**Mr McMeekin:** I could have called it “sinanigans.”

Not wanting to be the evil of two lessers, we're wanting to move ahead, we're wanting to work very hard at mirroring the kind of governance that this province needs. We want to work hard at working with partners in a new, open, honest way so that we can move forward with a new deal for our municipalities; so that we can move forward with the kind of health care reform that's been stymied by governments more interested in pointing fingers than pointing direction; so that we can in fact link up with our friends like the Honourable Mr Romanow, who has talked about the importance of expanding the health care basket, and making sure that governments are accountable, that they don't get some seven hundreds of millions of dollars and just throw it into the general revenue pot rather than investing it where it was intended to be invested; so that we can move forward with building the strong economic base that we need so we can assist the most vulnerable: those on the Ontario disability support program and kids who are seduced—literally—into the cult of smoking, at an incredible cost, not just to them but to all of us generally.

The best political advice I ever got in my life wasn't to engage in shenanigans or games; it was to look squarely at what's going on, to tell the people you want to represent what's broke and how it is you're going to fix it. I think we all have an obligation in this place to reflect. In fact, every single day as I come into this place, I ask myself the question—every single policy that's proposed, every single throne speech that's announced, every single budget, which is really a reflection of the throne speech—show me your budget and I'll show you what you really believe in. Show me your throne speech and I'll tell you what you really believe in. The best advice—and I think of this every day—is to look at what's broke and to try to think about how we're going to fix it.

We're not going to fix it by abandoning partners. We're not going to fix it by ignoring realities. We're going to fix it by working hard to get it right, by being prudent, or, as my good friend Buzz Hargrove was wont to say just a couple of days ago, to make sure that the breath of fresh air and the welcome change that we see from this government continues. It's not what we've seen over the last eight years. There's a certain innate wisdom to that.

We can be all that we were meant to be and we can in fact get on with securing that shared sense of purpose if we can move away from the shenanigans and begin to honestly struggle and to wrestle with what it means to build the stronger, healthier, more caring and com-

passionate communities that we all, on a good day, claim that we want to see.

We on this side of the House want to work together to restore and repair the groundwork, the foundation and the future that we have as Ontarians. We want to work together to ensure that the web of our past meets the winds of our future. We can do that today by rising above the nonsense and getting on with the business of the people of Ontario.

*Applause.*

1650

**Mr Mario Sergio (York West):** I don't know if the applause was for the previous speaker, who did a fantastic job with his first speech of the new session, or for myself for rising the first time to speak in the House.

Let me welcome the Deputy Speaker. Congratulations to you and to all the new members, and all the others who have come back again on behalf of the people they represent in their communities for another four years—of course, the people of York West especially. Again, they have placed their trust in me to continue to serve them for another term.

I only have a few minutes—evidently the aura of this House must not agree with me today, because I'm feeling a little bit under the weather—just to speak on what we are trying to initiate in this House and actually what we are trying to do in this House today.

We as the new government, and our Premier, introduced the so-called speech from the throne, and we are anxious to get going on that. We are anxious for a number of reasons. Time is running short; the demands are great. We want to accomplish many things, and I believe the people of Ontario are looking at the new Premier, Mr McGuinty, and the Liberal government to deliver on those things that are important for the people of Ontario.

What we have said all along, not only during the campaign but what our new Premier delivered in the speech from the throne, is right in here. Rightly so, we want to get going, but we are being stalled, as usual. Of course it's part of the democratic process that goes on in this House that dilatory tactics are being used.

**Mr Kormos:** Is that parliamentary?

**Mr Sergio:** Absolutely.

**Mr Kormos:** Are you sure “dilatory” is parliamentary?

**Mr Sergio:** Dilatory, yes, absolutely. It is exactly what my friends on the other side want to accomplish.

*Interjection.*

**Mr Sergio:** They are very important, because what we want to do, let me say to my friend Peter Kormos—

**Interjection:** I think you need a new pair of boots.

**Mr Sergio:** Yes.

They indeed would help their people as well. What would they be, some of those things? Some of those things are that the more we wait, the more it's costing the taxpayers in Ontario and the longer it's going to take for us to deliver on those important issues.



**Mr Kormos:** Then don't go on vacation for three months.

**Mr Sergio:** I should tell my friend from beautiful Niagara Centre that every day—

**Ms Churley:** Is a holiday.

**Mr Sergio:** —is a waste of taxpayers' money, and it's a holiday for my friends on the other side. I guess they must be anxious. Christmas is coming, so hang on.

We have some \$5.6 billion, and let there be no doubt, because whoever came up with that particular figure is a tremendously respected former auditor of this wonderful province. He agrees.

**Mr Kormos:** It was Gerry Phillips first.

**Mr Sergio:** Yes, of course. Mr Phillips is as much, perhaps even more.

We have to deal with those issues. But even before we attack that particular issue, we have to get to work. We are asking for the indulgence of the members of this House to say, "OK, now that you have been elected, let's go and start to work." This is exactly what we want to do. We want to deliver on the things that are important to the people, like providing the quality health care, which we have been talking about, providing health care needs for all the people of Ontario, especially those in particular areas in southwestern Ontario where for some 80 miles they can't find a nurse or a doctor. We want to get to that.

What does it mean to bring quality education? We are not talking perhaps of a faraway country, but here in our own Ontario, in our own Toronto, there are kids in our schools, let me tell my friend Mr Kormos from Niagara Centre, who refuse to use the toilets because they are filthy. The parents have to bring—

**Mr Kormos:** You're right.

**Mr Sergio:** Am I right? Then let's get to work.

The parents, on a daily basis, have to go to school, bring their own cleaning tools, bring their own toilet paper, because there are kids in our schools who will not use—is beyond our total comprehension that we have our elementary kids refuse to use bathrooms: unsanitary, completely unacceptable. We want to get to that. It is part of providing a good, clean, healthy environment for all the people of Ontario.

I want to get on to a couple of things in my couple of minutes, Mr Speaker. I believe it's important for my people in York West, because we feel the pressure to deal with car insurance and a couple of other things. Hydro costs us two million dollars a day. People may say, "Wow, you are going to lift the cap." There are good reasons. Because we want to be responsible—and this is exactly what our Premier, Dalton McGuinty, has been saying—to the people of Ontario, and by doing so, I want to be responsible to the people in York West as well.

Two million dollars a day; we find that unacceptable. Somewhere along the line, everybody will have to pay. We are saying that the responsible thing to do is to eliminate the debt as soon as possible. Forget why it's here now. Forget that the former government was irresponsible. We've got to do it.

Let's clear up one thing for all our consumers out there, the small business people as well. People may feel that they are receiving car and home insurance renewals well before the expiry date, and they wonder, "Why is that? My insurance is not due until the end of December." Well, there is a good reason. Mr McGuinty said that as of such-and-such a date the rates will be frozen. But the explaining we have to do with our people is that the increases they are receiving now, well before the expiry date, are increases where insurance companies very smartly went to the previous government, and with the approval of the superintendent of insurance, I believe it's called, they got those approvals, those increases, well before Dalton McGuinty and the Liberals took power. And it's shameful. It's shameful that the previous government allowed the insurance companies to raise their premiums two to three months before the expiry date. We have to deal with that, because it is not acceptable to the people of Ontario, to the small business community in Ontario. We believe we have to fix that, and we're going to deal with that.

I laud the new Premier. I join the members of my caucus in the Liberal government to deal exactly with that. Having said that, I want to share the time with my colleague. I hope we will have opportunities indeed. I would like to ask the members on the opposite side, the independent NDP members, to come to their senses and say, "Guys, let's go to work."

**The Acting Speaker:** The Chair recognizes the member from Scarborough Southwest.

**Mr Lorenzo Berardinetti (Scarborough Southwest):** I just wanted to reiterate some of the points made by some of the earlier speakers to this issue. But before I do so, it's my first opportunity to congratulate the Speaker and to congratulate you on your election. I also wanted to take the opportunity to thank the people from my riding of Scarborough Southwest for electing me to be part of this Liberal government.

The people in Scarborough Southwest and people throughout Ontario wanted change. "Change" was what I got, door after door after door. They wanted to see a change, not only in the way the government was delivering its policies, but in the way the government was governing. There were concerns. People at the door were saying to me, "How is it possible that a government can deliver a speech in an auto parts plant? How is it that we can have millions of dollars spent on all sorts of partisan advertising that was seen for years on television, on the radio and in the newspapers?" People were fed up with that kind of government.

I come from a background of municipal politics in Scarborough. Even though I look fairly young, I've been it at, believe it or not, for 15 years.

1700

**Mr McMeekin:** Too young.

**Mr Berardinetti:** Too young. Yes. It has kept me fairly young.

When I first entered Scarborough council back in 1988, the greatest obstacle to getting anything done on

that council was to have certain members try to delay, and find ways to make decision-making as slow as possible. I remember those years, back in 1988, 1989 and even 1990, where we had to struggle to get decisions made because certain people from various backgrounds held fast to the idea that you could read out the telephone book to delay an item so that you wouldn't get a planning approval or a rezoning application done. I got fed up with that and so did several other members of the council at that time. We created a new procedure bylaw that limited and didn't allow that kind of delay tactic to go on.

In 1997, just moving forward, I was elected to the megacity, the city of Toronto council, the new council that was created by the then Conservative government. Once again we ran into the same problem of delay and obfuscation—if I can say that word, which is certainly parliamentary—and also just basic sabotage of the system. After four or five years of being on that municipal council, I thought, “It's time to move on, get into provincial government and (1) try to change the way the city government works, and (2) try to get things to move in a more orderly fashion,” which is not happening right now.

*Interjection.*

**Mr Berardinetti:** I can hear quite loudly the member for Niagara Centre. It's wonderful to hear his comments as I speak.

**The Acting Speaker (Mr Ted Arnott):** Keep your conversations at a little lower level.

**Mr Berardinetti:** I think the important thing to realize, the message that's being brought forward today, is that we really need to get on with the business of this government. Our Premier, Dalton McGuinty, has made it quite clear that he wants to see change, and that we as a government want to see change, on a drastic level that will bring about benefit not just to a few, as has been mentioned earlier, but to many.

When I knocked on doors in this past election, people said to me, “You need better hospitals, you need better schools and you need a better way of governing,” and they have chosen that change.

**The Acting Speaker:** The member's time has expired. I don't really like to do that when it's the member's first time.

*Interjection.*

**The Acting Speaker:** That's fine.

**Mr John O'Toole (Durham):** I hate to interrupt the member from Scarborough Southwest on his maiden speech. In fact, I'm a little bit surprised there haven't been more newly elected members from the Liberal government who are actually exercising that privilege of standing and speaking for the first time in the Legislature. I can assure you that I'm just as apprehensive. It's my first time in this, the 38th session, even though it's my third time to rise and make comments. I'm very pleased to see procedurally that the other Deputy Speaker, our good friend Mr Arnott, is taking the chair. Congratulations to you on your recent appointment, much like Speaker Curling is actually appointed as well,

much like yourself. That's another example of many of the things I'd be covering.

I just want to stick to the script to some extent today. If I were to look at the government order paper today, “Resuming the debate adjourned on November 20 on the motion by Mr Duncan that the Speech of His Honour the Lieutenant Governor to this House be taken into consideration on Monday, November 24.” As most members would know, this is a pretty routine piece of business that normally would have gotten unanimous consent and we would have gone on to debate the throne speech. But again, it begs the question whether or not the government was mature enough in its deliberations and timing to achieve that kind of consensus on a very important and more traditional ceremonial event as the speech from the throne.

If I was looking with any depth—I looked at the notes that were handed out by the now Liberal government. I'm going to read the compendium note before I get into any substantive portion of debate here. I'm just reading this as a sort of a press release: “McGuinty outlines ambiguous legislative agenda.” Pardon me, it's, “ambitious legislative agenda.” That's a slip of the tongue. It is an ambitious agenda. In fact, it's been mentioned by a number that the theme that ran through most of the election that each of us were through—by the way, I do congratulate all members of this House, regardless of their party: NDP, the Conservative Party or the Liberal Party. There are three parties here. I congratulate each and every one for putting themselves and their promises and commitments on the line. It's a dubious task to go to the doors and the people and ask for their support personally and, on a broader debate, provincially. Of course each of us knows, as humble members, that we're burdened, saddled, with provincial commitments. These provincial commitments are usually in a policy document, which in the case of our two sessions as government, were promises made and promises kept. In this case here, we're in the very early stages of seeing that these promises aren't being kept. I would have to say that this normally routine function is one first early example of their inability to conduct the business of the House in an efficient manner.

Their very first bill that they introduced is probably where I'll start. I think it follows up very nicely to the remarks made by the Honourable James Bartleman. There's a quote here from Dalton McGuinty and from Henry David Thoreau. On the lead page here it says, in reference to the significance of the throne speech, the statement of vision, “If you build a castle in the air your work needs not be lost. That is where they should be. Now put the foundation under them.” That's a very good quote because the foundation is the beginning of any structure, and the beginning of your structure of government is that everything you promised during the election, you're reversing. You're failing to deliver. In fact, you're reversing your own commitments that you made to get elected. In a strange sort of way it reminds me of the traditional Liberal perspective. I think back to



the earlier engagement federally of the now famous commitments to cancel the GST, the helicopters and the airport. All those deals that they promised to get elected were eventually failed promises. That is the litany of the Liberal legacy in Ottawa. I'm afraid, with much trepidation, of looking forward to, as I said before, what lies ahead in Ontario.

1710

What do I read for the very first bill, Bill 2, which is the bill introduced on the 24th by Mr Sorbara, the Minister of Finance? I'm just going to read the explanatory notes for the viewers today. If you want to get in touch with me at my constituency office in Durham, I'd be happy to send you a copy of the bill. It's quite small, but it's quite large in leveraging money from your pockets.

If I read this, every single chapter and verse in here—and I'm going to read it, because it's going to be in the record. These are the explanatory notes. These are not political notes; these are notes from the Liberal government.

Under corporation tax—these are small business tax increases, by the way: “The Corporations Tax Act is amended. Amendments to subsection 38(2) increase the general corporate income tax rate to 14 per cent, effective January 1, 2004. Scheduled tax rate reductions to 11 per cent on January 1, 2004, 9.5 per cent on January 1, 2005 and 8 per cent on January 1, 2006 are repealed.” We were moving the tax from 14% to 8%. They're moving it to 14% and, in my view, probably will increase it further on. That's the first schedule. Imagine the implications for small business. These are people with under 50 employees who employ and create most of the new jobs.

Another one here—and I'm not picking these at random. These are just in sequence as they are in the explanatory notes on the first page: “Amendments to subsections 43(1.1), (1.2) and (1.3) of the act change the tax credit for income from manufacturing and processing, mining, logging, farming and fishing, effective January 1, 2004. As a result of these changes, the tax rate that applies to income from these sources will increase to 12 per cent....”

I hope some of the members who haven't quite got the experience of the place will understand that you've increased taxes. That is a broken promise. He stood in his slick, American-generated television ad and said, “I will not increase your taxes.” It's just astounding to me. It's almost like when Chrétien put his hand around somebody's throat. The very next day it's off the front page. They get away with, in many cases, what I consider is highway robbery for small business.

The next section here is amendments to the small business deduction. This is talking about the surtax. Many of these are regulatory issues that many members may not pay close attention to, but I can assure you this increases surtax on a certain level of income.

Another very subtle one—because I know I don't have all day here to speak, although I wish I did. This is quite an interesting one. For those former municipal poli-

ticians—I imagine the member from Scarborough Southwest and Mr Duguid would pay close attention to this: “Subsection 9(2) of the GO Transit Act, 2001 is amended to clarify municipalities' authority to enter into agreements with GO Transit and to agree to pay to GO Transit all or part of the operating and capital expenditures incurred under such agreements.”

Really, as part of the Who Does What—swapping expenditure control—we took back the operating portion of GO Transit and capital. You're now allowing municipalities to go back in and place a further tax, whether it's a fee or a subsidy or a ridership contribution. This is what this is about. I hope that members who are municipally based, as I was, are aware that one of the discouraging factors in public transit is the cost to the rider. I believe municipal transits and GO Transit should work more co-operatively. Certainly they need a comprehensive transportation strategy in Durham region. I don't see any comprehensiveness in this particular tax grab.

In fact, it goes on to say, “The new subsection 35(1.1) of the act continues in force, for a limited time, municipal development charge bylaws”—development charge bylaws are basically a tax on new homes. It's a lot levy. So they're going to say that all new homes now are going to have to pay this new thing “that would otherwise expire on December 31, 2003. Subsection 35(3) of the act, as re-enacted, allows municipalities to use those by-laws to collect”—that's the operative word for “tax”—“amounts that they agree to pay to GO Transit.”

There you are. It's another tax that's just buried in there. I hope some of the newer members are reading this.

Under the Income Tax Act section: “Amendments to subsection 3(1) of the Income Tax Act provide that, for 2004, the first tier surtax”—again, the operative word here is “surtax”—“will be payable when Ontario income tax exceeds \$3,856.” there will be a surtax on Ontario tax over an amount of \$3,856, so if you're one of those people who pay provincial tax in that amount, you'll be paying a surtax. There's also a schedule to arrive at a tax over \$4,864.

This is also going to be indexed. It's going to be indexed for 2005 and subsequent tax years, so as the cost of living goes up and the threshold goes up, your taxes go up.

This is all codified language, a very deliberate Liberal policy to increase revenue. I always think it's very simplified to—respectfully, I should go through the Chair. The Liberal strategy for a hundred years has been to tax and spend. Now, if the solution to every challenge brought to government is to increase taxes, I put to you that between 1988 and 1994, we saw that that strategy simply didn't work. People need to be able to keep the money that they earn, as well as paying for public services that we all share in common. There's a threshold there.

I just think that they're not keeping their promises. They told us they weren't going to increase taxes. I think that's why they were elected. It wasn't because they were

doing what they're doing in Bill 2. "An amendment to section 8 of the act repeals the equity in education tax credit..." In other words, parental choice is out the door. They sided with the teachers.

We have a former Toronto school board trustee elected here, and there's another trustee from the public school trustees' association. I have been a trustee for two terms. I have some knowledge that they want more taxing authority. I think, really, what they're doing here is just enshrining the monopoly of public education and eliminating parental choice.

I do believe very strongly, I might say, in the public education system. But when you don't allow people, even the most modest—they're already paying. In my home, we have five children. You know my story. My wife is a teacher; my middle daughter is a high school teacher. I pay a considerable amount of municipal tax, and a portion of that goes to education. I don't resent that one bit.

Now, if I chose to send my child—and I know a very good friend of mine who does send one of their children, one of three children actually, to an independent school. The independent school is a very special school for children with very special needs. They do pay tuition. I think it would have been advantageous for the parents to have that choice as to being put into classes where, arguably, special education doesn't have the proper resources. There may be a billion roads that we could go down on that whole debate, but it's about parental choice. That's what I'm trying to advocate here. What they're really saying here is they're reducing that.

Furthermore, there is another section here on the Ontario home property tax relief for seniors. I just can't believe that one. I know the biggest complaint I had under the municipal property assessment changes, changes to have equal assessment or uniform assessment processes across the province so we don't have the age-old problem of the city above Toronto having a different assessment mechanism from Toronto. We all agreed. All parties—the Liberals, the NDP and us—tried to look at this assessment uniformity and the difficulties, and all backed away from it, I should say. All said, "Whoa, this is a nightmare." I would agree it's a nightmare. Having chaired four municipal budgets, I know something about it. What I'm saying is, that's what you should work with: the assessment process being fair. Most people don't understand what the real implication here is. This whole assessment question is a two-phase process.

The two-phase process is, the assessment comes out—and let's say the house has gone from \$150,000 to \$175,000. That does not necessarily mean your taxes should go up. If the assessment goes up, the tax rate should go down. Otherwise, it's a windfall for the municipality. If they want to scoop more money, and the assessment goes up and they leave the tax rate the same—let's say the assessment of your home went up by 10%; everybody's house, relatively, went up 10%, because interest is down, house prices are up; we understand that. If that's the case, the municipalities would

have a windfall of 10%. If everybody's house went up 10%—figure it out. That's not the purpose here.

The second part of the assessment process is the tax rate. You would know, as a former municipal mayor, that the tax rate is actually set by the municipal council or the upper-tier government. Both actually set their own tax rate. The tax rate should be adjusted so that they don't scoop the taxpayer. What this does, what we wanted to do, really, in this—senior citizens should be able to stay with dignity in their own home as long as possible. If their biggest burden now, as I hear it, is the municipal property tax, then I can tell you that you're about to hear it is the cost of electricity. Electricity in itself is another argument, and I'll get to that in about 20 minutes.

1720

The electricity issue is price insensitive. In other words, your demand doesn't go down because the price goes up. You still have to cook your food, wash your clothes and heat your house. They say, "Well, you have ways of shifting the peak load." That's baloney. Consumers today have absolutely no tools to regulate the demand side of the equation. It would be different if consumers had interval meters or time-of-rate meters or some kind of tools in their hands to actually regulate what they pay—if the rate went up, it would shut off certain appliances—but they don't.

I'm getting back to the issue of seniors staying in their own homes—I've had a private member's bill on this, and I'll be introducing another one. What that bill says is there must be a mechanism for all of us to help keep seniors on fixed incomes in their homes as long as possible.

I think of my mother-in-law's and I think of my family, people who are retired for 10 and 20 years. They may have paid \$20,000, \$30,000 for their homes and now they may be worth \$200,000, but they've been pensioned for a couple of years—in both cases they're over 80—and now their home taxes are enormous. In fact, their income hasn't gone up, their taxes have gone up and they have no say. They're powerless in the whole equation.

What I'm suggesting is that we must be able to find some mechanism, and you may not want to call it the property tax credit, where a senior homeowner on a fixed income, let's say we set the threshold at \$20,000 or under—their taxes would actually be frozen. I don't disagree that this is the education portion. The argument we used is they've paid their share all their lives, whether as a parent, teacher or paying tax, whatever. But I believe the other part is that now—in many cases they have difficulty; maybe they don't drive any more—they have some way of staying in their homes.

One of the burdens is taxes; the other is the cost of electricity. I put to you that the cost of home support is another area. Whether it's home care or community care, all those things aren't free. We think they're free; they're not. They still cost these people. If they want a trip to their doctor's office, they still pay. Even though they say they are volunteer drivers, it's a lot of bunk. They still pay a rate. We've got to find ways to keep seniors in their own homes.



There is another section here, the Ontario Loan Act. This is quite interesting too, and it's quite subtle. What it says clearly—it amends the Ontario Loan Act, 2003, set out in schedule A. “It authorizes the crown”—that’s the government—“to borrow a maximum of \$7.1 billion.” That says to me—I know they spend a lot of time talking about the \$5.6-billion deficit, and we can get into that too. I think Mr Hampton summed it up the other day. He explained categorically that Mr Phillips said clearly in estimates—I sit on estimates—that they knew all about it. Howard summed it up the other day. Read Hansard from yesterday and you’ll get a good picture of it. But I believe the code language here is that the \$7.1-billion borrowing power by your government is signalling that you’re not just going to have \$5.6 billion; you’re going deeper into debt and then you’ll—

*Interjection.*

**Mr O’Toole:** Well, I believe all your tax strategies will kill job creation, kill your revenue side and you will have a problem. I believe quite succinctly you’re going about the whole challenge improperly. In fact, I think we’ll see some signals by Paul Martin when he becomes Prime Minister.

A very subtle one as well is the Retail Sales Tax Act. I hope people have actually read these schedules, because if you haven’t, you’re missing the ball game here. “Currently, section 9.1 of the Retail Sales Tax Act authorizes a tax rebate”—that was our tax rebate. It says “currently,” so that means it’s law today. We had allowed a provincial sales tax rebate, the PST, on energy-efficient appliances. What this section does—and I’m waiting for Mr Dwight Duncan tonight, speaking to the independent power producers. I hope to be there, because I have great interest in that, and I know our energy critic, Mr Jackson, is watching very closely to see the implementation of this plan. What this says is, it extends that purchase period to May 2004. What they’re saying there is, it looks like they’re extending that, but they haven’t extended it as our schedule had planned to, which was to increase the number of appliances: hot water heaters, freezers, refrigerators, stoves, all sorts of energy-efficient appliances. This is actually a stimulus for job creation as well as conservation.

The real stinger here—and it’s hard to debate this—is the last one in this first tax bill, Bill 2. It’s the Tobacco Tax Act. I live in a riding that’s primarily agricultural. It’s a rapidly growing urban area. It’s a wonderful riding, Durham. It includes the northern parts of Oshawa, Clarington—which is Newcastle—Newtonville, right next to you, actually. It’s about 50% rural and 50% urban, and rapidly growing with new homes. A good portion of my agricultural area was designated for tobacco at one time. I don’t see any strategy for helping farmers, both in the previous bill I mentioned, the amendments to the tax credits for manufacturing and farming—that section is worth reading. I looked it up earlier today and it does affect them. Supply-managed farmers are going to get hit with a tax increase. Dairy, chicken and other supply-managed farmers are consumers of electricity, so there’s the second whack for agriculture.

So Mr Peters had better stand up and clarify, because I have two calls in; I have people who are directors on those commodity boards. I listen to them; I have respect for them. In this one here, there’s no strategy to help them exit from tobacco products, to encourage them to get into greenhouse or other produce sorts of production.

But also, I don’t see anything in here that commits the revenue, the hundreds of millions of dollars in revenue—and I’m not supporting the tobacco thing, but what about the commitment to cancer, asthma or respiratory problems? Why wouldn’t they include that? I could understand it if it was really to clarify the air and the people that have breathing or respiratory problems.

There’s a lot in Bill 2, mostly tax increases, and really it’s the outgrowth of the first throne speech, which in my view is summarized as, “Promises made for real change are promises failed,” and that’s no change when it comes to the Liberal strategy.

But I think I want to go back a little bit, just to make sure members have it clear that I’m not just being cruel to the government. I’m trying to start this, as Thoreau said, on a solid foundation, as was quoted in the throne speech by the Speaker. I refer members to page 1440 of Hansard yesterday. I think Mr Hampton from Kenora-Rainy River summed it up very succinctly.

I have the greatest respect for Mr Phillips; in fact I’m his critic in Management Board, and it’s a privilege. He’s a terrific guy, he has a good grasp of numbers. In fact, I sat in that estimates meeting that day where he summarized what he thought to be the frailties in the public accounts. In fact, he said it here in the House, right in this House. I’m still looking for the Hansard citation there, but what he said was we had about \$2 billion of sales; we had our own-purpose-spending savings; you lumped in the \$700 million, which was part of the energy issue of trying to find a mitigation fund. Your electricity bill only looks at today, it doesn’t look over four years, which is what our plan was, a four-year plan.

But this whole thing on the deficit—you knew going into the election that there was a deficit and you never mentioned it. You made 231 promises and I think those 231 promises should be emblazoned on my constituents’ minds for the next four years. My strategy is, there are about 200-and-some working days per year. I intend to spend every one of those, maybe 231 or 331, every single day, talking about your promises. There’s a scorecard and it’s not just the newspaper writers who have got the scorecard.

You’re writing your legacy. Bill 2 is a very poor foundation for the beginning, as you will be forgiven until your first budget. After that, the \$5.6 billion—you had a half a fiscal year to deal with that deficit. Even in your own budget documents you had sales of assets and that came up from Mr Jackson today, what potentially could be on the table there. I think the best thing—I’m just looking at the remarks made by Mr Hampton.

I’m looking around if anyone else is interested in making a few comments here; otherwise, I’ll just keep going. What he said here is quite good, actually.

1730

I have a lot of respect for the NDP, because even when we were in government they were really the only opposition. Quite honestly, I may not have agreed with what they said many times, but I certainly listened to what they said, and on energy they were way ahead of everyone—absolutely way ahead on respecting the consumers. They weren't kind of pro-industry; they were really more consumer-oriented, especially the small consumer, the consumer with little leverage.

Mr Hampton in his closing remarks was saying, "I just want to say that the Premier, in his speech"—he was referring to Premier McGuinty's initial speech, which staff wrote for him and which he delivered quite well, actually, with a couple of reading errors, but he did very well. In fact, in his speech he referred to character education in our schools. I'd agree with that. I think character, respect and tradition are extremely important. Here's his advice:

"I would say, Premier, that your government needs to set an example. Don't make promises you can't keep. Don't make promises knowing you won't be able to keep them, because you already knew," as everyone in Ontario knew, there was a deficit of \$5 billion. "Your finance critic knew about it. Everybody ... knew about it."

Heck, you went and continued to make promises: 231 promises. People will not forget that. You've got to move forward. Forget the rhetoric of the \$5.6 billion. Make the tough decisions that are necessary.

When Dalton signed on to the taxpayers' pledge, the reality was that Mr Phillips, an eminently qualified finance critic, said in estimates—he said it in this House when he sat right here—that there's a deficit. I give him a lot of credit. I don't know why he's not finance minister, but maybe Greg's being president of the party had something to do with it; I don't know. It could have something to do with that, not that I would say that Mr Sorbara is not up to the job. It's an interesting equation, actually, if I can get off track a little bit and think about it.

When I think of this front bench, Mr Phillips almost ran for leader. He had a chest problem. He would have been a great Premier. We were quite concerned, actually, at the time. Then Greg, party president, ran in a by-election—he never repaid his pension, by the way; he never paid that back, actually—and now that he's finance minister, maybe he'll cut the cheque.

I thought Dalton won on the fourth ballot, when everyone was sleeping, pretty well. I watched some of it. I think I might have been asleep too that early in the morning. He sort of won on a fluke, really. I think Gerard Kennedy and Greg Sorbara wanted to take him out—both ministers now in fairly influential positions. I hope this isn't a set-up now, so early in your mandate, to dump him after the next election.

The point I was trying to make here is to be honest with people. During the election, I do believe there was a very sincere message script that he wouldn't increase taxes and that he wanted to bring faith, courage and

confidence, all of those illuminating thoughts and concepts with which I fully agree, and yet he has failed. On this account, on this day, I can only say that so far he has failed.

There are members of the cabinet I have a lot of faith in. I hope they're watching carefully and in cabinet will exercise their authority and duty to make sure that they put the people of Ontario first.

I guess you have to make tough choices. That's why they elect people, to make difficult choices; not to give out the cheques but to make the difficult choices.

I have a little bit of time left. I want to just talk on a couple of things that I have left. I'll summarize some of the promises that are important to me and my constituents in the riding of Durham. One of them is the Oak Ridges moraine. I think there will be more to be said over the next while on that.

The member for Pickering-Ajax-Uxbridge, I guess it was, who was the mayor of Pickering at the time, commissioned a study, and that study basically was to start encroaching on the permanent agricultural preserve. I'm interested to see the response from the Minister of Municipal Affairs, Mr Gerretsen, yesterday and probably into the future, on how he's going to deal with the consultation, when there is a study that's been paid for that clearly says that the intent there was to encroach not just on the Seaton land, but also—even the local newspapers had it spread out—the idea that there was paving of a lot of those very sensitive lands.

We had committed to saying that the permanent agricultural preserve would be a permanent agricultural preserve. This is going to be very difficult—maybe not as glamorous as some of the other stuff, but it's very important to my riding. We have the Oak Ridges moraine across my riding, and certainly many of the members from Durham—including the member from Pickering-Ajax-Uxbridge, in his riding as well. So the Oak Ridges moraine would be one.

The other one I want to spend a few minutes on, having been PA to the Minister of Health and having worked through with the hospital boards etc, is the re-capitalizations. The Health Services Restructuring Commission looked at rebuilding over 230 hospitals in the province of Ontario.

Duncan Sinclair, who was the dean of medicine at Queen's University, did a study. It can be discredited, I suppose, by somebody more informed than I. But they came across with a plan—the plan was very ambitious—to rebuild all these hospitals to the state of the art. We were setting about to do that. Now, it's an insurmountable job. We'd already committed almost \$2 billion to it. We had increased spending in health care, no question, including capital, beyond anything that happened in 10 years. Even in my riding, if I look at Lakeridge Health and Rouge Valley Health System, which basically cover my riding, there's a \$400-million expansion there.

I know in Northumberland the new hospital there has just been opened, I believe, and it's just a gorgeous—



*Interjection.*

**Mr O'Toole:** Has it opened yet, Lou?

**Mr Lou Rinaldi (Northumberland):** It's open, but they have no money. They're \$10 million in the hole.

**Mr O'Toole:** Well, get Mr Smitherman to write you a cheque.

*Interjection.*

**Mr O'Toole:** You should get Minister Smitherman to cut a cheque.

**Mr Rinaldi:** On time and on budget; it's \$10 million in the hole.

**Mr O'Toole:** That's good; \$10 million in the hole.

**Mr Rinaldi:** You built it.

**Mr Kormos:** Does Hansard know who the member is who—

**Mr O'Toole:** The member from Northumberland actually is just responding to me, and I hope Hansard gets that because—

*Interjection.*

**Mr O'Toole:** Yes. Well, of course, he's not in his seat.

*Interjection.*

**Mr O'Toole:** It's inappropriate. We must have dialogue through the Chair, Mr Speaker.

I want to have a close look at that. Let's just presume for a moment that we all agree we want to rebuild the hospitals. Let's ask the question: Where do we get the money? All the money, regardless of what we're building, schools or hospitals, is basically borrowed.

Most of us have kind of an economic background. Where do they get the actual dollars to pay the tradespeople, the architects and the consultants? Where do they actually get the money? Most people here are very academically qualified. They borrow it. OK. So where do they borrow it from? Do they borrow it from the banks? Well, the banks are declaring their dividends this week. All the banks are having huge profits. Let's say they borrow off the banks, because they're profit-makers, right?

*Interjection.*

**Mr O'Toole:** They borrow it from the pension funds, Borealis or something. Did they loan it to you for nothing? No, they make a profit for their pensioners, for their shareholders, their unit shareholders. So anybody who tries to sell this as repatriating health care to the public sector is absolutely misguided, because the funding of the capital of the hospitals was technically the only thing that we were doing in the case of Ottawa and Brampton. That's clear. We said that all of the people who do things in the hospital—nurses, radiologists, doctors, surgeons, whatever—would all be regulated health professionals under the Regulated Health Professions Act. We said that's what would happen.

What they've done is, they've sort of said, "No, we're not going to talk about it any more." But they're still funding those hospitals. The people of Ontario should know that they've been duped again. Those hospitals are being funded the same way that we were doing it; they're

just using different words. All they're doing is using different words.

Barb Wahl I'm sure will have more to say about that, because there wasn't one word in the budget or the throne speech—the budget document you introduced—that talked about hiring the 8,000 nurses—not one. In fact, Doris Grinspun, who has a PhD in nursing, a wonderful lady, said right after the throne speech that she was disappointed, that it was time to move ahead.

I put to you that the P3 hospital debate is not over. The demands for more resources and more money are going to stick with you, and there will never be enough money to fulfill all 231 promises unless of course your plan is just to keep increasing taxes, as Bill 2 did.

I expect each bill, including what bill today? Was it Bill 4, the electricity bill? It's really a tax grab too.

1740

**Mr Kormos:** End of day, sure.

**Mr O'Toole:** Yes. At the end of the day, it's a tax grab. In fact, it's on the most vulnerable, least able to pay. It's small business and people on fixed incomes that are going to be screaming at your constituency office, even though you understand that the only way to first implement what I call DSM, demand-side management—the only way to implement that policy is to give consumers the tools to actually interrupt how they use electricity, or manage how they use electricity. They need to have different meters in their homes. Are you going to fund those meters for those families who will have a meter that shuts off compressors, shuts off freezers, when the electricity price goes over 4.7 or whatever number you set the price at? If you don't, they pay a blended price. The people on fixed incomes, it won't matter if they shift drying their clothes after 8 at night; it won't matter a bit. Do you understand? It won't matter a single bit if they go into all those rituals of shifting when they do their laundry or do their dishes to off-peak demand. It's baloney. They pay a blended average price.

Electrons, when they're out there, they're either used or they're lost. You can't save them at this point in time. Hydrogen and other forms of—

**Mr Kormos:** They can't be stored.

**Mr O'Toole:** They can't be stored. In other words, you can't store electricity, so if you've got the nuclear plants cranking out electrons and they're not using them, then you're just using capital. All you're using is wasted capital. You're burning up the nuclear plants and the fuel cells and all the rest that go with it.

I say that there is more to be said on all of these issues. Conceivably, when I go back to business here, we're actually going back to a very simplified version of what this particular debate's about. This debate is about the right to have a debate. The debate that we're supposed to be having is on the throne speech. This time allocated to me—for the viewers' importance—is to understand that there's time allocated—the government took one hour. Out of that one hour, there were very few new members

that had the chance to get up and speak about whatever was on the top of the mind.

**Mr Kormos:** One hour? Seven. They needed seven.

**Mr O'Toole:** Seven. Now, in my case, one hour's insufficient to really conclude with any substance, but we have an hour allocated to our side and I'm pleased to give up my time to people that don't have time given to them. That would be the NDP. I'm afraid that they've been denied—that's another broken promise, technically. The argument there—I can't agree with Peter Kormos very often, but the fact is, it's denying democracy. It really is. It's a substantive argument that I don't think has received enough attention by the media, some of whom may or may not be listening. My plea to them is: It's just these few members—it's like the young child screaming in the forest—the young child being Peter Kormos, the member from Niagara Centre—and no one's noticing him in the media—the ones with all the trees—the paper.

It appears to me that it's incumbent on us as government once, and now opposition—to be effective, we need effective opposition. To be effective opposition, you need resources. You need the resources that they need to do the research—not in a partisan way, but to be asking substantive questions. I've made two references today to Howard Hampton and his eminently well crafted remarks and to Mr Kormos's, the member from Niagara Centre's, remarks on points of order with respect to the seating order, with respect to the right to be recognized as a party as opposed to individuals. I believe that there will be more of those, probably every single day. It may seem unproductive, but democracy takes time. The new government members, please pay attention. Listen to Mr Kormos. You don't have to agree, but the point he's making is, they're a party. That's the only point he's really making: They're a party. Do I agree with him? No, it's a whole different issue. The same problem that I think Mr Murdoch is having is trying to rationalize, to give them the proper resources to be in a more effective democracy in this House.

I can only say that the example we've had so far is that democracy goes back to the statement—again, I'm making an unnecessary but productive reference to Mr Hampton. There's 20 minutes left here; I don't know if I can go on and on. Mr Hampton said it here. I'm going to read it in full, because I do have the time: "I just want to say that the Premier, in his speech, referred to character education in our schools." I agree with that. With five children, I think respect and dignity—we all want that, in this House and in our own decorum. We're all learning; I should say, I continue to learn.

Character in our schools: I would say, Premier, that your government needs to set an example. The best instruction for our young people is our own actions, so you've got to set an example.

What he's saying is very simple; it's not some classical line here from Thoreau. It says, "Don't make promises you can't keep." Some of your decisions, by the way won't be popular, I hate to tell you. I've been a trustee; I've been a local councillor. The first thing I had

to get used to was that on some of the decisions, most people were mad at me. They were. But they knew that you couldn't continue to have a \$10-billion and an \$11-billion deficit each and every year. When we had to cut certain things, I thought, "Holy gee." I went out and the streets were lined with teachers. Some of them were relatives of mine.

*Interjection.*

**Mr O'Toole:** Most of the time I did. Even some of them understood that you just can't spend money that you're borrowing from some other cause.

**Mr Khalil Ramal (London-Fanshawe):** But the big corporations take it all.

**Mr O'Toole:** The member from London-Fanshawe says, "Just raise the taxes."

**Mr Ramal:** No, I didn't say raise taxes.

**Mr O'Toole:** I thought you said, "Just raise the taxes." The member from London-Fanshawe has a typical Liberal response, to sort of say, "Just tax the big corporations." Well, then the jobs go to some other jurisdiction. God, it's so simple.

I hope you're thinking about how every time you raise taxes, member from London-Fanshawe, you're putting at risk the very jobs in London. The General Motors diesel plant—if you touch their taxes, property or business, or deficits or whatever, they will move those jobs and your constituents will have no work. They can't pay their taxes at home, they can't pay their hydro bill, they lose their house, the kids are—these are the decisions you're making. It's a precipitous effect, and it all starts here about having the proper tax policy that creates jobs. It's that simple. If you have policies that threaten our economic security—now one of the senior members is coming over to tell you not to talk because you'll just get engaged and in trouble. I wouldn't think that's a good idea. I really feel, though, that the strategies I've tried to outline here today—it's clear they're now worried. Even some of the members are saying that—

**Mr Ramal:** On a point of order, Mr Speaker: I never said we have to raise taxes. I have to just correct the record.

**The Acting Speaker:** Thank you for your intervention, member, but it's not a point of order.

**Mr O'Toole:** I respect—I'm not trying to set it up in any way except to say that I wouldn't attribute something that maybe I didn't hear correctly. But the point is still the same. In the first section of your bill, number 2, you have increased taxes, and on manufacturing you're increasing the tax. Increasing the tax is what General Motors' London diesel, whatever they're called, make their decisions on. That's all I'm saying, and I don't want to make it difficult for the new member. I've looked at his bio. He's a very competent and well-respected gentlemen.

In the very few minutes I have left, I did want to say that during the throne speech I was appalled. I believe the number 5.6 was used 28 times. I found that to be an umbrella excuse for a lack of execution of your promises. The 231 promises are all shelved. In fact, you've



reversed some of them completely. Oak Ridges moraine is paved. You paved it.

**Mr Rinaldi:** You paved it.

**Mr O'Toole:** Well, I would say, member for Northumberland, you're part of a caucus that has promised to eliminate 6,000 homes. Is that correct? I don't want to misstate you, but in fact you haven't. You've actually allowed 5,600 homes. I'm concerned that the permanent agricultural preserve in Pickering is in jeopardy because of the secret deal by Mr Gerretsen, the Minister of Municipal Affairs, the secret deal that I'm sure none of the caucus knows about.

*Interjection.*

**Mr O'Toole:** I haven't got a clue. I'm waiting anxiously to make sure. This is an even more tragic broken promise, the more I think about it and dwell on it, the tragedy that this land is lost permanently. For the viewer at home, this is intractable. You can't recover it. Some of these tax policy things can go back and forth. I'm sure you could lower taxes; you probably won't. Those are the things you can reverse. This kind of encroachment on a permanent agricultural preserve worries me. I think of my five children in the future; I think of the seniors now who can't afford to heat their homes; that you've repealed the education component of their property tax. Now their property taxes are going to go up \$500 and \$600. It's starting to worry me already. This is only the second day and you're already in trouble. I must say that it struck home, in some degree of passion, that some of the newer members must be worried themselves: How many promises can you break before you teach children that not declaring the truth is OK? Setting an example: What example are we really setting?

1750

At the end of the day, all you have left is the integrity you had on the campaign trail. I credit each of you for sticking to that integrity, and now it's at risk. It's being put at risk. I've outlined quite clearly today that in Bill 2, the two front pages of explanatory notes, every single one is a tax increase. I've gone over the P3 argument on the hospital issue. I have 13 minutes to use.

The P3 thing: I just want to go off on to that one a bit. The private thing in hospitals is really good. I did read the Kirby report and I did read, and had full briefings on, the Romanow report, because I was PA to health. There was a lot of good material in both. I kind of believe in the national council on health care. The reason is that the biggest persons to advocate their responsibilities in health care has been the federal government. It was Paul Martin, if you want to know the truth. Look at your history. Health care was a 50-50 deal. We all know that. The member for Sudbury is old enough to know. At that point in time—what are the numbers? Fourteen cents, is that their share, or 17 or 25 cents? It still isn't 50-50. The biggest abdicator in health care is, in my clue, the federal government. In fact, Romanow said it. He said they should move up their funding, let's say, to 30%, and they got the first down payment.

I put to them that health care today in this entire country is 50% private. No one is talking about it but it is. Today it's 50% private, nothing to do with us. If you go to the dentist, that's oral health, it's all insurance money. If you go to an optometrist and get your glasses, get your eyes tested, it's all insurance companies through your employer or through some other coverage that you have as a legislator, a teacher or a nurse, whatever. You have insurance coverage. Your employer has compensation insurance. It's insurance against injury. If you fall in the workplace, who pays for it? The insurance company. WSIB pays for the broken arm. That's true.

**Mr Kormos:** They're public, though.

**Mr O'Toole:** No. It's private. Mr Kormos, if you think about it, I've covered compensation, oral health—actually, almost all health to do with what is a non-medically necessary procedure is insurance or you pay personally. In most cases, if you want to get a mole removed, you pay.

Also, I would say that auto insurance is a big issue, a huge issue. You know something? When you pay auto insurance, it's called personal accident insurance.

**Mr Kormos:** —public auto insurance now.

**Mr O'Toole:** Personal accident insurance: The portion of your auto insurance bill is for personal accident benefits. The Insurance Bureau of Canada is assessed over a billion dollars a year by the provincial government to pay for injuries related to auto accidents. That's insurance. It's private money. You buy a premium, you get the coverage and they fix your arm.

**Mr Kormos:** Let's make it public.

**Mr O'Toole:** That's a whole other debate. I'm just saying that half of health care today, anyone who is telling the truth, is private. I don't agree with it, essentially. That's not what I said. Who's going to own up to it, though?

Now let's get into the MRI clinics and all that. I'm going to refer to two very successful, very highly respected clinics in my riding. One is the Port Perry medical clinic and the other is the Oshawa clinic, one of the largest in Durham region. It certainly is the largest in Durham. There's another one in Courtice. It's new.

These clinics are private. They pay for the financing, the mortgage, the operating and every other thing that occurs in that building through insurance, basically OHIP, because most of the procedures or tests that they do are paid for by the government. They use that money to pay for the building, to get it cleaned, to keep the windows clean, to fix and maintain the building. They're private. The doctors themselves have private businesses. The more business that goes through the door, the more they make and the larger share of that building they can own. So it's private. I didn't say it was good, bad or indifferent; I'm just saying that's the truth.

Now, if you're going to cancel these new MRI clinics—the biggest thing the new interns want is an office ready to go when they graduate. That's what they want. We're recruiting doctors, as most people are. I'm a supporter of foreign-trained physicians and making sure

there's fast-tracked licensing. I've supported them since 1995. I have one in my riding, a wonderful lady. She's a graduate from Hong Kong but she did pediatrics in London, England. If you spoke to her on the phone, she speaks four languages—not like me, one and a half—and she should be fast-tracked. I have no question about it all. Making sure that she's a qualified physician, that's what we need to do.

But in these cases here, the doctors, when they graduate—if you practise in an underserviced area today, because of our policies, your tuition is paid. Did you know that?

**Hon Marie Bountrogianni (Minister of Children's Services, Minister of Citizenship and Immigration):** Not all of it.

**Mr O'Toole:** It's \$20,000 paid. When they graduate, if they go to an underserviced area they get up to four years paid, plus the community gets, I think, \$15,000 for recruiting and a few things like that.

The point I'm trying to make here is that what they want is a key-start operation. They want a building. Now, if there are other doctors who are prepared to invest their money, take a mortgage, put an expansion on the clinic, build the offices and rent it to them for so much per month, then I think that's OK, I personally think it's OK. Let's do anything we can to give them a place to do what they do best, which is to practise medicine. Let's remove the barriers. I'll support you on some of this stuff. I'm saying that publicly here on the record. Doing the right thing isn't going to be hard for any of us.

I'm just looking at the clock here. I've pretty well done a good job. I've got seven minutes on that clock and I've got one minute on this clock, so why give up now? I appreciate the fact that the viewers at home have listened and that many of the members here in the House have listened and that we have had time to debate whether or not we should debate the throne speech. There will be another day to debate the throne speech.

**Mr Kormos:** When, though? When?

**Mr O'Toole:** Exactly, I hope there are no more procedural interruptions. I was going to write this speech out, but I'm glad now I didn't, because I've roamed around a fair amount on a broad collection of areas. An hour is a long time to speak and it's certainly been fun. It's like having your own time, and my own members allowed me to do it, which is even more fun.

I think that there were good points made during today's debate, but I leave you with one commitment, and that is the commitment made by none other than the leader of the NDP, and I give him credit when he says, "Mr Premier, don't make promises you can't keep." I think that's a good lesson for all of us. Those would be my remarks on whether or not we should debate the throne speech. I think we should.

**The Acting Speaker:** Thank you, member for Durham. It being 6 of the clock, this House is adjourned until 6:45 this evening.

*The House adjourned at 1759.*

*Evening meeting reported in volume B.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman

Speaker / Président: Hon / L'hon Alvin Curling

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton West / -Ouest	Marsales, Judy (L)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon / L'hon Leona</b> (L) Minister of the Environment / ministre de l'Environnement
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Huron-Bruce	Mitchell, Carol (L)
Beaches-East York / Beaches-York-Est	Prue, Michael (Ind)	Kenora-Rainy River	Hampton, Howard (Ind)
Bramalea-Gore-Malton- Springdale	Kular, Kuldip (L)	Kingston and the Islands / Kingston et les îles	<b>Gerretsen, Hon / L'hon John</b> (L) Minister of Municipal Affairs, minister responsible for seniors / ministre des Affaires municipales, ministre délégué aux Affaires des personnes âgées
Brampton Centre / -Centre	Jeffrey, Linda (L)	Kitchener Centre / -Centre	Milloy, John (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Brant	Levac, Dave (L)	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Lanark-Carleton	Sterling, Norman W. (PC)
Burlington	Jackson, Cameron (PC)	Leeds-Grenville	Runciman, Robert W. (PC)
Cambridge	Martiniuk, Gerry (PC)	London North Centre / London Centre-Nord	Matthews, Deborah (L)
Chatham-Kent Essex	Hoy, Pat (L)	London West / -Ouest	<b>Bentley, Hon / L'hon Christopher</b> (L) Minister of Labour / ministre du Travail
Davenport	Ruprecht, Tony (L)	London-Fanshawe	Ramal, Khalil (L)
Don Valley East / -Est	<b>Caplan, Hon / L'hon David</b> (L) Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint	Markham	Wong, Tony C. (L)
Don Valley West / -Ouest	Wynne, Kathleen O. (L)	Mississauga Centre / -Centre	<b>Takhar, Hon / L'hon Harinder S.</b> (L) Minister of Transportation / ministre des Transports
Dufferin-Peel-Wellington- Grey	Eves, Ernie (PC)	Mississauga East / -Est	Fonseca, Peter (L)
Durham	O'Toole, John (PC)	Mississauga South / -Sud	Peterson, Tim (L)
Eglinton-Lawrence	Colle, Mike (L)	Mississauga West / -Ouest	Delaney, Bob (L)
Elgin-Middlesex-London	<b>Peters, Hon / L'hon Steve</b> (L) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation	Nepean-Carleton	Baird, John R. (PC)
Erie-Lincoln	Hudak, Tim (PC)	Niagara Centre / -Centre	Kormos, Peter (Ind)
Essex	Crozier, Bruce (L)	Niagara Falls	Craiton, Kim (L)
Etobicoke Centre / -Centre	Cansfield, Donna H. (L)	Nickel Belt	Martel, Shelley (Ind)
Etobicoke North / -Nord	Qaadri, Shafiq (L)	Nipissing	Smith, Monique (L)
Etobicoke-Lakeshore	Broten, Laurel C. (L)	Northumberland	Rinaldi, Lou (L)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Oak Ridges	Klees, Frank (PC)
Guelph-Wellington	Sandals, Liz (L)	Oakville	Flynn, Kevin Daniel (L)
Haldimand-Norfolk-Brant	Barrett, Toby (PC)	Oshawa	Ouellette, Jerry J. (PC)
Haliburton-Victoria-Brock	Scott, Laurie (PC)	Ottawa Centre / -Centre	Patten, Richard (L)
Halton	Chudleigh, Ted (PC)	Ottawa South / -Sud	<b>McGuinty, Hon / L'hon Dalton</b> (L) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales
Hamilton East / -Est	Agostino, Dominic (L)		
Hamilton Mountain	<b>Bountrogianni, Hon / L'hon Marie</b> (L) Minister of Children's Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance, ministre des Affaires civiles et de l'Immigration		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Ottawa West-Nepean / Ottawa-Ouest-Nepean	<b>Watson, Hon / L'hon Jim</b> (L) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises McNeely, Phil (L)	Stormont-Dundas- Charlottenburgh Sudbury	Brownell, Jim (L)  <b>Bartolucci, Hon / L'hon Rick</b> (L) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Ottawa-Orléans	<b>Meilleur, Hon / L'hon Madeleine</b> (L) Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones	Thornhill	Racco, Mario G. (L)
Ottawa-Vanier	Hardeman, Ernie (PC)	Thunder Bay-Atikokan	Mauro, Bill (L)
Oxford	<b>Kennedy, Hon / L'hon Gerard</b> (L) Minister of Education / ministre de l'Éducation	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
Parkdale-High Park	Miller, Norm (PC)	Timiskaming-Cochrane	<b>Ramsay, Hon / L'hon David</b> (L) Minister of Natural Resources / ministre des Richesses naturelles
Parry Sound-Muskoka	Wilkinson, John (L)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (Ind)
Perth-Middlesex	Leal, Jeff (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	<b>Smitherman, Hon / L'hon George</b> (L) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Peterborough	Arthurs, Wayne (L)	Toronto-Danforth	Churley, Marilyn (Ind)
Pickering-Ajax-Uxbridge	Parsons, Ernie (L)	Trinity-Spadina	Marchese, Rosario (Ind)
Prince Edward-Hastings	Yakubski, John (PC)	Vaughan-King-Aurora	<b>Sorbara, Hon / L'hon Gregory S.</b> (L) Minister of Finance / ministre des Finances
Renfrew-Nipissing-Pembroke	Di Cocco, Caroline (L)	Waterloo-Wellington	Arnott, Ted (PC)
Sarnia-Lambton	Oraziotti, David (L)	Whitby-Ajax	Flaherty, Jim (PC)
Sault Ste Marie	Duguid, Brad (L)	Willowdale	Zimmer, David (L)
Scarborough Centre / -Centre	<b>Chambers, Hon / L'hon Mary Anne V.</b> (L) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités	Windsor West / -Ouest	<b>Pupatello, Hon / L'hon Sandra</b> (L) Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
Scarborough East / -Est	Berardinetti, Lorenzo (L)	Windsor-St Clair	<b>Duncan, Hon / L'hon Dwight</b> (L) Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement
Scarborough-Southwest / -Sud-Ouest	<b>Phillips, Hon / L'hon Gerry</b> (L) Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement	York Centre / -Centre	<b>Kwinter, Hon / L'hon Monte</b> (L) Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Scarborough-Agincourt	<b>Curling, Hon / L'hon Alvin</b> (L) Speaker / Président	York North / -Nord	Munro, Julia (PC)
Scarborough-Rouge River	Dunlop, Garfield (PC)	York South-Weston / York-Sud-Weston	<b>Cordiano, Hon / L'hon Joseph</b> (L) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Simcoe North / -Nord	Wilson, Jim (PC)	York West / -Ouest	Sergio, Mario (L)
Simcoe-Grey	<b>Bradley, Hon / L'hon James J.</b> (L) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs		
St Catharines	<b>Bryant, Hon / L'hon Michael</b> (L) Attorney General, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		
St Paul's	Mossop, Jennifer F. (L)		
Stoney Creek			

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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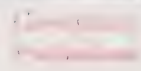
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**Assemblée législative  
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Première session, 38<sup>e</sup> législature

**Official Report  
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(Hansard)**

**Journal  
des débats  
(Hansard)**

**Tuesday 25 November 2003**

**Mardi 25 novembre 2003**



Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 25 November 2003

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 25 novembre 2003

*The House met at 1845.*

### ORDERS OF THE DAY

#### FISCAL RESPONSIBILITY ACT, 2003

#### LOI DE 2003 SUR LA GESTION RESPONSABLE DES FINANCES

Mr Sorbara moved second reading of the following bill:

Bill 2, An Act respecting fiscal responsibility / *Projet de loi 2, Loi concernant la gestion responsable des finances.*

**Hon Gregory S. Sorbara (Minister of Finance):** As we begin this very important debate on this very important piece of legislation, I want to advise my colleagues in the House that I'm going to be sharing the time allotted to the opening speech on this matter with my colleague from Perth-Middlesex and my colleague from Guelph-Wellington.

Before I speak about the particulars of the bill, I want to put Bill 2 in some real and substantive context. I say that because these are very serious measures. These are tax measures that will begin to bring about real change in the province of Ontario and, most importantly, to ensure that we take the first substantive and important steps in putting back in good order the finances of this great province. But they are serious. Any time a government takes steps to raise taxes, whether they be corporate or private or, in this case, the reversal of some credit measures that the previous government took, they are serious measures and we take them very seriously.

No government relishes the notion of measures that will affect taxation on the upside, raising taxes, as was referred to earlier today in question period, and every government looks forward to a time when we can moderate taxes. For us, it's extremely important for this House to understand, for my colleagues to understand, for the province to understand and for the world to understand that this government is determined and committed to a tax system in this province that remains competitive with all the jurisdictions we compete with, not only in the Great Lakes basin but around the world.

What is the context that we face as we consider and, I hope later on in this session, pass Bill 2? I want to deal with that before I deal with the particular measures that are in the bill. The context is really quite simple. The government of Ontario, over the past eight years, was on a collision course with serious financial impairment and

serious sustainability problems if we had continued down the course we were on. In short and simple language, the tax policies and the financial policies of the previous government were simply not sustainable.

What were those? We heard about them over eight years of Conservative government. We heard over and over again successive finance ministers tell us that the economic strategy in Ontario is simple: We were going to lower taxes in order to provide better services. That was never believable, from the day the previous government took office until the day they were voted out of office on October 2—a clear plan of reckless tax reductions that put at risk all of the public services that the people of Ontario look to the government to provide. I want to remind you that those issues were clearly the subject of the election campaign that ended on October 2 with the election of our party with a strong majority in this House now.

#### 1850

In fact, I believe that the election was about two things: It was about leadership in the province, and it was about taxes. We heard it over and over again—the two competing stories from, on the one hand, the Progressive Conservative Party and, on the other hand, our party. The Progressive Conservative Party said over and over again, “We’re going to continue with our program of tax cuts, we’re going to balance the budget, and we’re going to provide greater services.” Finally, it became clear to the people of Ontario that that story lacked credibility, that that story was not believable, that that plan was not implementable, that you simply cannot continue to do that. It’s kind of like a business where, in order to keep market share, you keep lowering and lowering the prices of your goods until your revenues are so low that you have to close shop.

On the other hand, you heard from the now Premier, the then Leader of the Opposition, Dalton McGuinty, during the campaign. You heard a quality of honesty and integrity about our financial situation which I think certainly captured the support of the people of this province in large numbers but which had a clarity and honesty to it. I remember Dalton saying over and over again, “I would love to lower taxes, but the fact is we can’t afford it.” If we’re going to provide a high quality of education in this province, if we’re going to reform education, if we’re going to make health care sustainable in Ontario, we cannot afford to lower taxes.

The magnificent thing about the campaign was that the people of Ontario heard that message and supported it in numbers that, frankly, in my capacity as president of the



party, I say to my friend from Scarborough-Agincourt, surprised even me. But the message was clear and it was simple and it was straightforward: that in order to ensure that we can deliver a high quality of public services, it would be necessary to take certain tax measures that gave us the revenues to achieve our objectives. That's what the people of Ontario voted for. The bill that is before us now is the legislative steps that we take to achieve those objectives. That's the political context in which we find ourselves.

Let me just say a word about the financial context within which we find ourselves. We had the election on October 2. Cabinet was sworn in on October 23. Shortly after that, former Provincial Auditor Erik Peters provided to the people of Ontario an independent analysis of where we were at financially in Ontario, and the news was not good. The news was very, very serious. His report was simple and straightforward. He said that on the current course, the province will have, by the end of the fiscal year—that is, March 31, 2004—a \$5.6-billion deficit. In fact, in his report he listed another \$1 billion of risks which could result in an even higher deficit.

How did we get to that point? We got to that point by a government that kept lowering taxes. The increase in tax revenues over the course of the past three years was about \$1 billion. The increase in expenditures was about \$10 billion. Do the math. It doesn't work. You cannot continually lower taxes and deliver a higher quality of services without incurring an enormous deficit. In my view as finance minister of this province, \$5.6 billion is very serious indeed.

In fact, if nothing else had changed, if there had been no election, if the previous government continued on the course that they were on, the deficit for next fiscal year would have been \$7.7 billion, and the year after that \$8.6 billion. Those are deficit numbers that approximate the darkest times in this province when the New Democratic Party was in power and ran up deficits approaching \$11 billion. That's just not sustainable. You just can't do that. You can't run a province or any jurisdiction by simply borrowing money and asking your children and grandchildren to pay it off sometime down the road.

So this is very serious business. We're raising taxes, the very taxes that we said we would deal with during the campaign. No one likes to do that, but our responsibility here is to make sure that we get our financial house in order. That's not simply so that one day we can say, "Well, we've now got a balanced budget." We're doing it because the only way to make government sustainable in Ontario is to make sure that we have the resources to provide the services that the people who elected us expect us to deliver.

If I go back to the election, there was resounding support for the notion that we have to deal with our education system. In fact, we have to deal with our education right from the early years, through the primary and secondary and the post-secondary systems, because our only competitive advantage, the only way that we can thrive and flourish, is by expanding what's up here,

what's between our ears. You need the resources to do that. During the election campaign, over and over again, we made the point that it was reckless to cut your revenues and pretend that somehow you could improve services.

So I remind the members of this House, had the election not happened and the road that they were going on, which they called the Road Ahead, if Ontario had continued down that road, next year the deficit would not be \$5.6 billion, which it looks like it's going to be this year, but \$7.7 billion, and the year after that \$8.6 billion. That's simply reckless management of the province's affairs—unsustainable.

I remember hearing the Leader of the Opposition talk during the campaign about, "Don't worry about it, it's going to be a balanced budget." Well, how were they going to balance that budget? Selling assets. We saw the disaster that occurred in 2000 when they did that with Highway 407. I remind the members of this House, particularly new members, that the budget that was presented—well, it wasn't presented here; it was presented outside of the Legislature. But we're not going to get into that story.

I recall that in that budget there was the number that made it all work: \$2.2 billion in asset sales. No one knew what they were. No one knew what these assets were that the Conservatives were going to sell. There was speculation about perhaps the Liquor Control Board of Ontario; speculation that once the election was behind him, the member from Dufferin-Peel-Wellington-Grey, now the Leader of the Opposition, would once again go after Ontario Hydro—I'm sorry, Hydro One—and we remember how much trouble that caused him and the various positions that he had on the sale of Hydro One. So \$2.2 billion in asset sales to balance last year's budget. None of that materialized. There was never going to be any sale. The notion that we would—

1900

**Mr Cameron Jackson (Burlington):** There's half a year left.

**Hon Mr Sorbara:** I hear my friend from Burlington say that there's half a year left. I think he's suggesting that maybe we should get on with selling assets like the LCBO or perhaps GO Transit or who knows what. In my view as finance minister, their policy of selling public assets is like selling your house to put a meal on the table for the next 30 days. It just doesn't work.

I remind my friend from Burlington that the notion of selling the Liquor Control Board of Ontario is just a way of taking the revenues that would pay for programs for the next 20 years and bringing it all into year one. It's not good economic policy, I say to my friend from Burlington. It never has been. It wasn't in your budget—

**Mr Jackson:** You did it when you were the government last time—David Peterson sold off—

**Hon Mr Sorbara:** Well, there we go. When they were in government, they spent so much time talking about the Peterson years and how they had overcome the Peterson

years, but I tell my friend from Burlington that it's not going to work now.

They were going to sell assets—\$2.2 billion—in order to balance that budget. In addition, in that budget they overestimated by almost \$1 billion the revenues they were going to receive from a variety of crown corporations. That was a failure of very serious proportions to represent things appropriately.

The point is simple, and it is that what the previous government was doing was unsustainable, and in the election of October 2 the people of Ontario saw that clearly and voted them out of office.

Our job now is to set ourselves on a new course. We've got very serious work to do, and it starts with this bill. But this bill is only a start. Our responsibility is to transform government in a way that makes it sustainable again. These measures are a good first step, but it's not the only work. In fact, we have already announced that over the course of the next two or three months leading up to the budget, which we'll be presenting in the new year, we are going to undertake the most intense consultation a government has ever undertaken in a pre-budget context to help define how government can be transformed in order to make it sustainable.

We said during the campaign that there were certain tax cuts, reckless as they were, that had to be rolled back, and Bill 2 is the legislative implementation of that commitment. I want, if I can, to just speak a little bit about the particulars of this bill.

Bill 2 cancels the equity in education tax credit, effective January 1, 2004. I remember when the previous government, in a surprise move by the finance minister of the time, the member from Whitby-Ajax—do I have that right?—delivered a budget in this House, I believe without any consultation with the Minister of Education, announcing that Ontario was going to start funding private schools in the province. No support from the Minister of Education—I'm not sure there was much consultation about it even with the then-Premier. It was something that the member very much had a bee in his bonnet about, that it was time to put taxpayers' money, public taxpayers' dollars, into private education. Notwithstanding that 96% of the children of this province attend public schools, notwithstanding the fact that our public schools were in such a horrible state of disrepair as a result of Tory policies over the course of the past seven years, at that time, when the measure was introduced; notwithstanding the fact that an entire profession of teachers had been demoralized by attacks from the Conservative government over the course of the past seven years, in that budget the then finance minister said, "We've got a great new initiative. We're going to start funding private schools." One of the reasons why the people of Ontario supported us so strongly in the past election was that we said, "We're not going to do that. We are not going to put \$500 million a year into private education."

We have no quarrel with private education; we have no quarrel whatever. Personally, as a father of six, all six

of my children went to a wonderful private school called the Toronto Waldorf School. I never looked to my neighbours or taxpayers to help me with that burden. It adds to our strength in Ontario to have high-quality private schools. It's part of the diversity of the province, nothing wrong with it, but taxpayers' money for public services should go into public education. Therefore, this bill, Bill 2, cancels the equity in education tax credit. That's what the people asked us to do, and that's what we're doing with this bill.

Second, this bill repeals the Ontario Home Property Tax Relief for Seniors Act, 2003. I remember the discussions about this during the campaign. I was so touched when I heard from seniors, who said to me on the election trail, "This is wrong." Notwithstanding that the tax credit would come to them, "This is wrong." All of us should share the burden of education in the province of Ontario.

But even worse than that, I think one of the most reprehensible aspects of that bill—passed just before the election and designed to try to garner support from seniors—remember, it was a campaign of attempting to divide and conquer—one of the most reprehensible parts of the bill is that the measure most assisted those in the province who needed it the least. If you're a pensioner with a fixed income and you own your home—and let's say that home is worth about \$200,000—your education taxes, for argument's sake, let's say are about \$200 a year, perhaps \$300 per year. So you think, "Wow, I'm going to get \$300 a year back from the government in the form of a credit." On the other end of the scale, if you're a senior and your house is worth \$1 million and your education taxes are \$3,000 or \$4,000—and that's what they run—you get \$4,000 back.

Why would any government want to take taxpayers' money and divide it up in that way: so that the ones who need the most help receive the least and the ones who don't need any help at all get the most?

The people of Ontario saw through that. They said, "We don't accept that. That's not equitable; that's not the way government should work. That was just electioneering on the part of the Progressive Conservative Party." They rejected that notion. They threw it out.

Bill 2 also increases the general corporate income tax rate to 14% from 12%. These are the famous rollbacks of corporate tax cuts that Ontario did not need and could not afford.

In question period earlier on this afternoon, I heard questions directed to the Minister of Economic Development and Trade, the Progressive Conservative Party trying to suggest that somehow, with these measures, Ontario would no longer be competitive. Absolutely not true. The tax rates that the Conservative Party would have left in place would have had corporate tax rates in Ontario some 25% lower than those in our competing jurisdictions, particularly in the United States of America and other Ontario jurisdictions.

1910

Your tax rates don't have to be that much lower in order to compete. We heard about Pennsylvania this



afternoon. Their corporate tax rate is 41%. Do you think the Governor of Pennsylvania wouldn't like to lower his corporate tax rates? Of course he would. We all would, but not at the risk of public services.

I remember during the campaign talking to leaders of corporations, large and small, who said, "We understand your tax policy and, frankly, we support it."

*Interjections.*

**Hon Mr Sorbara:** Do you hear some babbling over there from the other side? I heard some babbling. We'll just ignore it.

Our corporate tax rates are going to remain competitive and they're going to help us raise the revenue that we need in order to provide a high quality of public services. That was the story in the campaign. It's OK to tax at rates that are appropriate if the revenues are used to deliver high-quality public services, notably in the areas of education and health care, and growing stronger communities and having a cleaner environment. That was the story of the campaign.

In fact, as I was saying, during the election campaign I talked to many business leaders who said quietly, and some publicly, that we were going down the right road in terms of corporate taxes. The reason they said that is simple: They knew the problem of unsustainability in government. Businesses know better than anyone else that if government is not sustainable, then government cannot provide the services that businesses need in order to thrive and grow. Our responsibility is to make sure not just that we sustain the current economy but that we grow a new generation of a stronger economy. That means better transportation systems in the greater Toronto area. We're choking on our traffic. That means better-educated students. That means universities that are on the leading edge of knowledge in all areas. We have to provide that.

Our changes to small businesses in Ontario are minimal. In fact we made a distinction, before the campaign and during the campaign, between large corporation taxes and small business taxes.

Finally, as I see my time is running out, I want to say a word about the increase in tobacco taxes. It probably would have been more effective in terms of our health care objectives to raise the taxes on cigarettes to a much higher level immediately. We have a plan to go to the national average. In taking the steps that we did, which were effective last night at midnight, tobacco taxes will rise by about \$2.50 per carton.

We have very clear health objectives here but we also, as we frame our tax policy, have to be absolutely certain that we do not once again create a black market in tobacco of the kind that we saw 10 years ago. We will not put ourselves in a position, in short, to raise tobacco taxes to the extent where smokers and people of some questionable motives engage in a market that—well, I think you remember it. Eight or nine years ago, it was just commonplace that smokers would buy tobacco on the black market. We're not going to let that happen again. So in a measured way we will be raising taxes to the national average. Bill 2 contains the first step there.

Finally, I want to say a word about the borrowing authority that is part of the bill. Some people have asked me about the fact that the bill provides for, under the Loan Act, borrowing powers of \$7.1 billion. I want to be very clear about that.

With the additional tax measures that will impact our finances for this year, we think we can get to a point where the deficit by the end of the year will be lower than \$5.6 billion, but that's speculative. Revenues from these measures will begin to affect the balance sheet for this year right away. But governments have to be prudent and Ministers of Finance, I tell my friend from Niagara, Falls, have to be very prudent. The loan authority provides loan authority up till, I think, December 31, 2006. We thought it simply would be appropriate to put it all in one bill. That explains the difference between the deficit that we anticipate for the end of this year and the borrowing that is technically authorized through the bill.

In conclusion I simply want to advise you that I look forward to comments on Bill 2 from colleagues right around the House. It's very serious business. The roll-back of the taxes that are affected by this bill will generate some of the revenue and start us down the road to better financial health in Ontario. I look forward to support for the bill from all members of this House.

**The Acting Speaker (Mr Ted Arnott):** I'm pleased to recognize the member for Perth-Middlesex.

**Mr John Wilkinson (Perth-Middlesex):** I'm sure you can all imagine the fear, trepidation and excitement that I have this evening to rise at my seat for the first time. Many of you in this House of course have all had to do this, and there are others among my colleagues who will be attempting to communicate to the House and to our fellow colleagues this evening. So it's with great pride that I rise, and I would be remiss if I did not begin by thanking the voters of Perth-Middlesex for sending me here for the next four years.

I think it's appropriate, actually, that I've been asked to speak on Bill 2, a money bill, because I am by profession a certified financial planner, someone who deals with money day in, day out. I think it's important that in our caucus all views are represented. I think it's important that we all bring certain attributes to this place, and there are things that are never more important because all things deal with money, ultimately, in this House.

But I've been shocked, coming to this House and seeing—I believe the term "parliamentary shenanigans" was the question. I am surprised by that because I remember it was interesting to find, for me, how there seems to have been a time warp—a time warp perpetrated by certain parties that have made a tremendous flip-flop from where they were just a few months ago.

It reminds me of a story about a man who went to a priest and said, "As you know, Father, my brother has died and I would like you to give the eulogy tomorrow at the funeral mass." The priest said to the man, "I'm sorry, but I really cannot do a eulogy. I can't do the eulogy because I can't speak about the things that I hear in confession. But I do know that your brother cheated on

his taxes, and really it would not be appropriate for me to give a eulogy for your brother."

The man said to the priest, "It's very, very important to our family, Father, that you give the eulogy. I'm prepared to make a donation of \$5,000 to this parish if you'll give the eulogy." The priest said, "Well, \$5,000 is very generous but, and I can't speak out of the confession, I can tell you that I know that your brother was not always faithful to your sister-in-law. So it would be highly inappropriate for me to speak and give a eulogy"—

**Mr Rosario Marchese (Trinity-Spadina):** What about 10,000 bucks?

**Mr Wilkinson:** I'm going to try to tell the story this evening.

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And so the priest responded to the brother and said, "No, I can't do that," but the man said, "No, it's very, very important that you eulogize my brother. I'm prepared to make a donation of \$50,000 to your parish." The priest said, "No, I cannot do this. I believe that your brother actually murdered someone. I could not give his eulogy." The man said to the priest, "Father, you think about it tonight."

So the next day there was the funeral, the eulogy came up, and the priest stood up and said, "I've been asked to eulogize the dearly departed. I can tell you that he cheated on his taxes. I can tell you that he was unfaithful to his wife. I even believe that he murdered someone. But compared to his brother, he was a saint."

So I find it very odd to come to this House, after going through a lengthy campaign and being involved in politics in this province, to have certain parties somehow morph through some time warp and fail to realize that they were responsible for the fiscal state of the province that we are in today. I can tell you that if on Bay Street there was a CEO who, in the course of seven months, underestimated his expenses by nearly \$2 billion and overestimated his revenue by nearly \$5 billion on a \$70-billion corporation, that CEO would not only be fired; that CEO would be going to jail. It strikes me as odd that in this place, where we look after \$70 billion worth of taxpayers' money, we can have a government that could make these types of fundamental accounting mistakes and then somehow come back into this House and say, "Really, it had nothing to do with us. We were planning a great big fire sale. Ontario for sale. What part would you like to buy? We're desperate. We'd like to sell that."

Thank God, for the taxpayers of this province, we are not going to have a fire sale. As I mentioned, I'm a certified financial planner. Clients come to me—and I think this is exactly what the Premier and the Minister of Finance did. The first thing you have to understand is, exactly where are you today? Before you start figuring out where you're going to go, you have to know where you start. That is why we hired the eminent Erik Peters to review the books of this province, because there had to be no doubt as to the serious fiscal position that this government has been placed in.

I applaud Mr Peters for actually coming forward and making a very difficult choice, because I understand that he would go to the Ministry of Finance and he would ask them questions like, "So, what were you planning on selling, since your leader mentioned that in the campaign and has postulated about this after the campaign, that there were things to be sold?" They said, "We don't have anything on that, Mr Peters. There are no files here. We don't see anything about the LCBO being sold off or turned into an income trust. We don't see anything going on about the 401."

The next thing you have to do is you have to know, in financial planning, where you're going to go. I can tell you that our party knows exactly where we want to be four years from now: right back here. That's what we're going to make sure happens, because to get back here, then people have to know, "Did you keep your promises?" People have said to us, "You have four years to get this right," and you start by starting at the most fundamental question, and the most fundamental question is, "Where are you today?"

We know where we are. We know where we have to be. The problem is getting there. There's always the devil in the details—always. But we have been elected to make those tough choices. What I'm heartened about—and what makes us Liberals, I might add—is the fact that we are willing first to consult with people. We're not going to come in and slash and burn—like a previous government that we all know has been relegated to the history books—and make mistakes. The thing to do is to get it right, because we are dealing with people's lives.

I find—and I take great pride in this point—that there have been many pieces of correspondence come to me, including this piece here, from people who are concerned about our repeal of the private school tax credit. These pieces, I might add, are derogatory to the Premier, the person for whom I have the greatest respect.

I was asked by a local private school, a Christian-based school, to come and visit that school. I was more than happy to do so. In a sense, they challenged me in the local paper to come and visit their school. I called the principal and said, "Listen, I didn't come to your school because you haven't invited me." But he invited me, so I said, "Well, I'll come for the day." He was shocked that I would come for the day, but I did go for half the day. It's a wonderful school—and this is very, very important: The principal is a fine man, and a man of faith. The children were beautiful children. They're hardworking and very disciplined. If I taught at that school, I'd be proud. The teachers have forgone being paid at the higher rate that they would in the public system because of their love of their students and their love of their faith. So I was impressed.

The school itself had problems—a bit shabby, because the parents have to come up with the money to try to keep the school up. That's very, very difficult. There is a faith statement on the wall. The faith statement was a wonderful statement about how people who went to that school all believed in the same thing. The basis of that



was Biblical. As a Christian myself, I could understand that. I said to the principal, "If there is a child here whose parents are lesbian, would that child be welcome in this school?" The principal told me, "Yes, as long as their parents could attest to the ..." No. That child would not be welcome in that school. That's why my taxpayers' money does not go to that school.

This is a free province. It's fine that those people are able to go that school. In a publicly funded system, there is a place for every child. We don't pick and choose which children go to publicly funded schools based on who their parents are, who their parents were, what their parents do, what is their lifestyle, what is their religion. There is a place for every child in the publicly educated, publicly funded system.

I say with greatest respect to the people of Ontario and my constituents: If you want to send your child to a private school, that's fine. You pay for it. There is a system that will take your child, no questions asked. There is a system that will take your neighbour's child, no questions asked. For us to have a strong and prosperous society, we have to have all children being lifted up. If parents want to send their children to an alternative system, it's a free country. But every child must be lifted up.

That is why I am so proud and so shocked that the NDP—

**Interjection:** Whoa.

**Mr Wilkinson:** —that another party of independents would decide in this House to vote against that. Here we are to repeal something that we fought in the trenches together, and now all of a sudden, because we're in this time warp, we've decided that we're going to be on the other side of the issue. Now all of a sudden you have a question.

*Interjection.*

**Mr Wilkinson:** That's right. I've been able to watch some of the members in this House and the opposition go on and on and on, so I've had some of the greatest of teachers just watching and tuning in at night to some of the other members.

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I'd like to close by saying that I am very, very, very happy to support Bill 2. I'm very happy to support the minister and his hard work. There are many difficult choices we have to make. I ask the good people of Ontario to engage us, to be part of the solution. There are difficult decisions that have to be made, but we will not be able to build the province that we want, we will not be able to have the province that our children and our grandchildren deserve if we do not make those difficult choices. If we do not put out the fire in the basement, we can't have the addition later on. That's why it's very, very important that as the people of Ontario listen to us this evening, they have an opportunity to become engaged in this debate.

Thank you so much for your indulgence.

**The Acting Speaker:** Continuing to share the time set aside by the Treasurer, I now recognize the member for Guelph-Wellington.

**Mrs Liz Sandals (Guelph-Wellington):** Thank you, Mr Speaker. It gives me great pleasure to see my colleague from Waterloo-Wellington to the north in the chair tonight.

I must begin by thanking my constituents, the good voters of Guelph-Wellington, who have sent me to this place. I really appreciate the faith they have shown in me and in our party. It is time now for our government to get down to work.

As we knocked on doors during the campaign—and we knocked on a lot of doors during the campaign—as we campaigned on this bill—because we did campaign on this bill—we found that people truly supported what we are doing here tonight, because the public understands that you get what you pay for. Time after time, as we knocked on doors, voters talked about their mother who needed home care and couldn't get it. They talked about their family who needed a family doctor and couldn't get it. They talked about the cuts at the local schools. They talked about programs that had been cut because there wasn't enough funding. They talked about a government that was always attacking teachers. As we went from door to door to door, people understood that if you want affordable housing, if you want a transportation system that works, if you want a province that works, then you have to pay for what you're going to get. And they understood. They said, time after time after time, "I don't want you to cut my taxes. I understand that if I'm going to have a health care system that works, if I'm going to have an education system that works, I have to pay for it and that you can't cut my taxes."

They also understood that Tory good management is a myth and that that has turned into the reality of Tory mismanagement. People understood that you can't keep selling provincial assets. They would say, "You can't sell 407." They would say, "You can't sell Hydro One."

**Mr Marchese:** It's already sold.

**Mrs Sandals:** They kept trying to sell it, but nobody would buy it because hydro was such a fiasco.

They understood that we need to hang on to our public assets like generators and Hydro One. They understood that you couldn't sell off the public nuclear inspection service, for heaven's sakes. Thank goodness we've been able to stop that. They understood that if you just sell off public assets, that's a one-year wonder. You do it once and then it's gone, and then what are you left with? You're left with a deficit. We thought it was a \$2-billion deficit; we find out it's a \$5.6-billion deficit. And we have to take care of that.

We have to make sure to be responsible to the taxpayers in this province, that we take care of our fiscal house and that we're going to have to pay for what we get.

One of the first things we will be doing is cancelling the private school tax cut. As my colleague from Perth-Middlesex has mentioned, the wonderful thing about the public education system is that every child can attend the public education system. It doesn't matter whether you've got a learning disability; whether your child is

autistic; it doesn't matter whether your child has a physical disability; it doesn't depend on whether your child is really bright, or maybe a little bit slow, or maybe just a good, all-round average kid who's bouncing along, trying to get through the day. It doesn't matter who your child is, it doesn't matter what neighbourhood they live in, it doesn't matter what their ethnic background, it doesn't matter what their religion; every child in Ontario can attend a public school or a Catholic school. Every child in Ontario has access to publicly funded education, and we want to keep it that way.

The interesting thing about this private school tax credit that we're getting rid of is that there are no rules. In order for a school to qualify for this private school tax credit, you don't have to have certified teachers; you don't have to follow the provincial curriculum; you don't have to have provincial tests; there's no public accountability for the spending of public funds. There are no rules. Even Mr Eves, the Leader of the Opposition, seemed to recognize this once upon a time. When he was running for the leadership, he said it was ludicrous to give schools money if they wouldn't teach the provincial curriculum. He said it was ludicrous. Well, once upon a time Mr Eves was right, but then he flip-flopped.

No other province in this country has private school funding without rules. Our colleagues in the Tory party here like to tell us, "Other provinces do it. What's the problem?" The truth is, no other province in Canada funds private schools without setting rules, and the tax credit that we are proposing to cancel here tonight gives public money to private schools with absolutely no strings attached. Do you know the only rule to be registered as a private school in the province of Ontario—the only rule—is that you have to be able to round up five school-aged kids? And if anybody ever gets to inspect you—because in fact the Ministry of Education has laid off the private school inspectors—the only thing you really have to do is make sure there's a safe fire exit. Five kids and a way out if you set the place on fire, and you can qualify for funding, with no rules and no public accountability. Of course we're cancelling this.

Our friends in the NDP here, on the other side of the bifurcated rump, used to support getting rid of the private school tax credit. In fact, I know my colleague from Trinity-Spadina has been a long and vocal supporter of getting rid of the private school tax credit, but what has he done now? He's voted in favour of keeping it. Can you understand that? I don't understand it, because I know he's been such a vocal supporter of getting rid of it, supporting our position. Yesterday he changed his mind.

**Mr John R. Baird (Nepean-Carleton):** What's up?

**Mrs Sandals:** I don't know.

So we can't have Mr Eves make up his mind, and the NDP seems to be having trouble making up its mind. Do you know, the one person who's been absolutely consistent on this subject is Premier McGuinty. The day the former finance minister announced this, without consulting with his Minister of Education, the day the Tory finance minister announced this, I was in the lobby

outside this door, and Dalton McGuinty walked into this lobby and said, "The Liberal Party, when we are elected, will get rid of the private school tax credit." He has been absolutely consistent on this subject—no wavering, total consistency. We campaigned on this subject. We are keeping our promise and we are going to repeal the private school tax credit.

**1940**

What about the seniors' property tax credit? My colleague the Minister of Finance has talked about the fact that it advantages well-to-do seniors more than low-income seniors. That's one reason to get rid of it. But the other reason to get rid of the seniors' property tax credit is because seniors don't want it. Again, as we went door to door to door, we heard time and again people saying, "I don't want this. I want to pay to have my grandchildren go to school. I want my children"—

**Mr John O'Toole (Durham):** One big tax increase.

**Mrs Sandals:** It's not a tax increase. No senior in this province has gotten one single cent from this Tory property tax credit. They've talked about it a lot. They promised something was going to happen in August or September, but nothing happened. No senior in this province has received one single cent from this tax credit. We are not doing anything that will make their property taxes different this year from what they were last year. We are not increasing their property taxes for education. What we are doing is listening to seniors, who have told us over and over again that they want their grandchildren to have an excellent education. They know that if their grandchildren are going to have an excellent education, they have a responsibility to help pay for it.

Do you know that the Canadian Association of Retired Persons, the group that represents the over-50s in this province, the group that in fact would be the beneficiaries of this, came out against this property tax credit and said, "As an organization, we don't want it because we understand that, number one, we must educate our children. We also understand that this doesn't help seniors most in need. As seniors, we want the government to spend money on health care. We want it to spend it on accessible housing for seniors. We want the government to pay for home care so that seniors can stay in their homes"? The Canadian Association of Retired Persons understood that if we have another tax cut, then we cannot afford to pay for those very important services for seniors. We are going to get rid of this property tax cut. We're going to listen to the seniors.

One of the interesting evenings I had during the campaign was an all-candidates' meeting. The all-candidates' meeting was at a retirement village, the Village by the Arboretum in Guelph. It's a seniors' community. I thought when we went in there that we would get hammered in a seniors' community about the private schools—sorry, private schools are on the brain here—about the property tax credit. Do you know what happened that evening? The people who lived in that retirement village said, "No. We want the education system to work. We want the health care system to work. We don't



want this property tax credit. We want you to make our province work.” That’s what we campaigned on, and that’s what we’re going to do.

We are going to cancel the next round of corporate tax cuts, although we will continue to protect our small business people. We are going to cancel further personal tax cuts because that’s what people said they want us to do. We’ve listened to the public. The public agreed with what we had to say and we are now acting on it.

It gives me great pleasure to be able to stand here tonight and say that I support Bill 2 because we understand that if we are going to make this province work, first of all we have to get our house in order. We cannot get our house in order, we cannot provide the services that the people of this province want, if we continue to give away our revenue stream.

We are also refusing to sell off the LCBO, Hydro One or private generators. We’re not having a fire sale of public assets. We’re going to do the responsible thing. We are going to make sure the province of Ontario gets its fiscal house in order. Once we get our fiscal house in order, then we can deal with making sure that public services work the way they are supposed to work.

I would like to thank you now for this opportunity to speak for the first time in the House. It has been a pleasure. I’m sure that there will be many more opportunities to speak.

**The Acting Speaker:** It is now time for questions and comments. I recognize the member for Nepean-Carleton.

**Mr Baird:** Thank you very much, Speaker. You look very good in that chair, and we look forward to an early opportunity to make official appointments.

To listen to these three members was quite a challenge. I listened with great interest to the member for Oakville. I said to my friends from the NDP that he’s going to be fun, because he’s hardly a rookie. We’re going to have lots of fun—

**Hon Mr Sorbara:** Perth-Middlesex. Get it right.

**Mr Baird:** Sorry. Perth-Middlesex. I apologize. They all give the same message.

He talked about the tax credit for private schools. It’s actually the tax credit for independent schools. He asked, why would we give taxpayers’ money to something where we couldn’t control it? If the member opposite knew about the equity in education tax credit, he would know that not a single dollar goes to the school. Rather, it goes to the parents. We give churches tax credits, give people tax credits for monies that go to a church, yet we don’t regulate a church and say, “You’re having a food bank,” or running a homeless shelter. “We’re going to come in and audit you for that.” But yet they get tax credits from people.

The reality is that there are many modest-income families in Ontario who want to enjoy the same rights as other members in this place who send their children to independent schools, to enjoy the same rights that parents of the Catholic faith have. They just want that same option, if they’re of modest income means, whether they send their child to a Montessori school or whether they send their child to a Jewish school.

I was very impressed with the debate intervention by Monte Kwinter, the member from Wilson Heights. He put forward some very good arguments and he convinced me. I’m with Monte Kwinter on this issue, and I was with Michael Bryant—

**The Acting Speaker:** Thank you. The member for Timmins-James Bay.

**Mr Gilles Bisson (Timmins-James Bay):** I thought it was a very interesting comment by the previous member—I forget her riding—who said, “We first of all have to get our fiscal house in order.”

I’d just remind members that I sat on the estimates committee last spring with one Gerry Phillips, the finance critic for the Liberal opposition at the time, who said basically that they were going to have about a \$5-billion deficit this year. When you added up the numbers, the Tory numbers were wrong and there was a \$5-billion deficit. We knew that back last spring. I find it a little bit interesting that the Liberals come in and make this speech and start talking to us, “Oh, well, you know, we’re really fiscally responsible.” I just wonder how responsible you are, because there’s been a whole bunch of promises that your party made during the last provincial election that haven’t held together.

I just look at the Taxpayer Protection Act, because I think it’s salient to this point. I’ll just read a couple of things.

A promise made by Mr McGuinty in a quote from September 11, 2003, said, “I promise to abide by the Taxpayer Protection and Balanced Budget Act.” That was the taxpayer protection promise that he signed on September 11. He said he was going to abide by it.

Then I hear Mr McGuinty shortly after, on November 21 in the Ottawa Citizen, quoted as saying, “We’re going to have to do something about the balanced budget legislation.

“It’s having at present, in its existing form, a perverse effect on governments.” If they knew that they had a deficit last spring and they were prepared to sign the taxpayer protection act pledge last election, which was this fall, while all of a sudden are they saying that it’s perverse?

I’m saying, they knew what the numbers were last spring, they made a bunch of election promises, and what we’re now seeing is the Liberal government breaking promise after promise. If it’s not the Oak Ridges moraine, then it’s not funding education immediately, as they promised in the last election. If it’s not that, it’s breaking a promise on hydro rate caps. Liberals speak one language in an election; they do quite different when they get elected.

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**Hon Gerry Phillips (Chair of the Management Board of Cabinet):** I want to compliment the Minister of Finance and my other colleagues.

The public of Ontario should be aware of this: About five days before the actual election, I was on a TV show with the then-Minister of Finance. I said, “Listen, we think there’s a deficit here. You say it’s balanced. Are

you telling us five days before the election date that the budget of Ontario is balanced? Is that what you're saying to the people of Ontario today?" She said yes. So there we found, five days before the election, a deliberate clarification by the Minister of Finance that there was a balanced budget. What did we find a few days later? The deficit of the province of Ontario was \$5.6 billion.

I will also say that the independent members perhaps don't understand what was said at a committee and they choose not to quote very accurately, so the people of Ontario can judge them accordingly. Again, to the Minister of Finance I said, "Listen, I'm adding up these numbers and I believe there's \$5 billion of risk in your budget, offset by a roughly \$2-billion reserve. So we believe the deficit is going to be approximately \$2 billion." To the then-Minister of Finance, Ms Ecker, I said, "Give us the real numbers. Will you do that?" She refused.

I say to the Minister of Finance today, thank you for the bill. It will begin to address the mess we've been left with here in the province of Ontario. I say to the people of Ontario, don't forget that the Conservative finance minister, five days before the election, swore there was a balanced budget, and that simply was not the case.

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** I heard what has just been said regarding the former finance minister, and we have to be pretty clear and we have to be pretty honest with the public. What Mr Peters did was a review of some numbers. This is not a deficit; it is his projections. It is the worst-case scenario. It is not an audit, and don't pretend that it is. Let's not try to fool the public in Ontario.

The reality is that it takes into consideration the problems caused by SARS, mad cow and the energy crisis. Furthermore, it did not include the money that the province has since received from the federal government for SARS, for health care. It doesn't take into consideration the fact that the economic projections for the province of Ontario and Canada have changed. It doesn't take into consideration a lot of things. This is not an audited deficit. It is a projection of what may happen based on the worst-case scenario. So I think it's rather misleading to call it a deficit, because it is not.

I would also like to speak to the tax credit for people in this province who want to send their children to schools which may be of a religious or of a cultural or other type. We have to keep in mind that perhaps some people in this House have the financial resources to send their children to a private school. By far, many, many of the people who were receiving the tax credit and who wanted their children to benefit don't have the same financial resources.

**The Acting Speaker:** I now return to the Minister of Finance for two minutes.

**Hon Mr Sorbara:** It's only appropriate that these measures be in the first substantive bill that we bring to this House, given the debate in the election campaign. I just want to congratulate both my friend from Perth-Middlesex and my friend from—help me out here—

**Mrs Sandals:** Guelph-Wellington.

**Hon Mr Sorbara:** Guelph-Wellington. Oh my goodness, the hour is getting late.

I remember in the previous Parliament that even seasoned members of this House, when they were speaking on government bills, would have a speech prepared by the minister's office and they'd read it into the record with no emotion and no animation. To hear both of these members really bring life to this debate brought joy to my heart as a parliamentarian.

Second, there is no better authority on the finances of this province than my friend the Chair of Management Board. The people of Ontario should be very glad indeed that he is in the position he is in, because the Chair of Management Board is responsible for overseeing the expenditures, and he is going to be probably the most important element as we transform the way in which government does business over the course of the next four years.

Finally, to listen to the comments of my friend from Kitchener-Waterloo and suggest that what the former Provincial Auditor did was a misrepresentation or misled the public really quite saddens me. He said it wasn't his estimate of the deficit because there were other factors, and one does not know what the deficit will be until the end of the year. The economic circumstance that we inherited was the result of eight years of faulty economic policy from a party that she wanted to lead.

**The Acting Speaker:** Further debate?

**Mr Baird:** I am not pleased to stand up and speak to this bill. This bill is single-handedly the biggest tax increase since Bob Rae was in government. Every single time that Bob Rae stood up and raised taxes he brought in less revenue, because high taxes kill jobs. When there are fewer jobs there are fewer people paying taxes, there are more people on welfare, and the jobs leave the province and that leads to fewer jobs, less hope and less opportunity.

I'd like to address head-on the baloney that is trying to be spun by the evil spin doctors on the Liberal staff. You know these evil Liberal spin doctors. The stench of fresh paint and new carpet reeks from their offices. I was walking down the halls here on the second and third floors and there is a stench of fresh paint and new carpeting.

For those of you watching on TV, they've taken over 13 MPPs' offices here at Queen's Park. They don't want to rule from across the street; they want to rule from across the hall, and bring in their reign of fear and intimidation on their caucus members.

You know which MPPs' offices they're taking over? They're the big ones, they're the nice ones, and they're the ones where the interior designers are in, the new carpet-layers, the new paint—

**Mrs Witmer:** The new furniture.

**Mr Baird:** "The new furniture," the member for Kitchener-Waterloo says. I encourage all of you members: Walk up and down the halls on the third floor. There are no MPP names on any of these doors. When



they're not updating your offices, they're updating themselves.

**Mr Norman W. Sterling (Lanark-Carleton):** At what cost?

**Mr Baird:** My friend from Lanark-Carleton, who has been elected eight times to this Legislature, says, "At what cost?" It's so much money that the assembly doesn't even have enough money to pay for it. They have to pay for it through the executive council.

**Mr Sterling:** Over a million bucks for this move.

**Mr Baird:** A million bucks for this move, the member for Lanark-Carleton says. But I digress.

I return to the so-called Peters report. They say, "It's an audit. He's done an audit of the books." Page 1: "...my review does not constitute an audit"—exactly what the member for Kitchener-Waterloo said.

*Interjection.*

**Mr Baird:** He audited the books for the last eight years and gave this government an unqualified opinion as to the finances of this province, something that Paul Martin could simply not get a single time.

He goes on to further say, "I express no opinion as to what the actual deficit ... will be." "I express no opinion." 2000

A \$5.6-billion deficit? No, it's right in here, in black and white: "I express no opinion as to what the actual deficit will be." What this is about is a government which decried negative campaigning during an election, undergoing the most negative campaign ever seen after an election.

Week 1, they smacked down my friends in the New Democratic Party. What they want to do more than anything is take away their spirit, show them a lack of respect by constantly referring to them as independent members, and I don't think that'll work.

**Mr Peter Kormos (Niagara Centre):** My own colleagues refer to me as that.

**Mr Baird:** His own colleagues has referred to him as independent for many years, the member for Niagara Centre says.

Week 2 was saying, "We don't want these Tories coming back in four or eight years. We want to make it 12 and we'll undergo a negative smear campaign against the former government."

That's what this is all about. This is classic Liberal strategy. They've got all of the Chrétien has-beens now working around here, telling them what to do, telling them how to demonize the former government.

I think of all the lawsuits that have had to be settled in Ottawa when they tried to accuse Brian Mulroney of illegal activity. Alan Rock had to apologize to him and pay hundreds of thousands—because I think of things like the Pearson deal. I think of things like the helicopter deal. This is the kind of maligning strategy we're seeing from the spin doctors in this government. This government, I say, is in big danger of overplaying its hand.

I look at what some of these things have said. To hear lectures, as we did just earlier, from the member for Vaughan-King-Aurora and someone whom I respect

from Scarborough-Agincourt, Gerry Phillips—these guys were ministers in the government who campaigned around Ontario two years and 10 months into an election term, promising we had a balanced budget in Ontario, and left a \$3.6-billion deficit. That was the audited statement.

**Mr Richard Patten (Ottawa Centre):** Not correct.

**Mr Baird:** That's exactly what happened. Floyd Laughren had the class not to get down into the gutter like the regime over on the other side. So to hear lectures from a team which has been audited, left a \$3.6-billion deficit, is too much. In 1990, they didn't introduce a balanced budget.

**Mr Patten:** You're lying.

**Mr Baird:** What did you say?

Madam Speaker, the member opposite just said I'm lying. I'd like you to rule on whether that's parliamentary. You didn't hear him? Would you ask him maybe if he said it?

**Mr Patten:** Yes, Madam Speaker, I did say he was lying. I retract that.

Your nose is growing.

**Mr Baird:** That's class, Madam Speaker.

So to get lectures from two validated people who left a \$3.6-billion deficit is a bit much when, Mr Peters says it himself, it's a projected deficit. This government was elected only six months into the fiscal year. Imagine the captain of the Titanic leaving Great Britain saying, "I know there's an iceberg on the other side of the Atlantic, but it's too late for me to do anything." Certainly, something can be done.

Standard and Poor's said shortly ago—and I'll read them, as far as their latest research reports: "Standard and Poor's expects that the province will take the necessary steps to deliver a balanced budget by the end of the current fiscal." They go on to say: "Standard and Poor's expects that, despite near-term economic challenges and some risks to the revenue and expenditure outlooks, the Ontario government will remain committed to restoring fiscal balance and further reducing net tax-supported debt as a share of GDP in the medium term.

"Ontario's finances have remained in fairly decent shape overall, but the province has had to put out a number of fires to stay on track with the balanced budget envisaged for fiscal 2004.

"Ontario's budgetary performance is comparable with those of its international peers. The province's operating surplus of 3.6% of operating revenues is comparable with operating surpluses posted by Alberta and Manitoba."

So what we have is a government that sees a big financial challenge, much like my former cabinet colleagues in the Legislature tonight saw after the September 11 bombings in 2001, where we were facing some big challenges, but we rolled up our sleeves, we went to work and we said, "Where there's a will, there's a way."

But with this government the story is something else: Where there's a problem, there's a whiner. What are the headlines like now in Ontario? I just look to last week's Ottawa Citizen: "Ontario: Home of the Whiner." It's this

government, where they are whining about not being able to balance the budget and yet are not prepared to do a single thing to balance the budget, when something can be done. This isn't John Baird saying this; this isn't a member of the Tory party saying this; this is John Manley, the Deputy Prime Minister and Minister of Finance. The member for Ottawa South is quoted in the paper as saying that it would be timely for expenditure reductions to take place, like those in our financial plan that were brought forward in this year's budget. John Manley says that it can be done and that it would be timely for that to happen: "It may be timely for that to happen in the Ontario government as well." But this government is more concerned about maligning the former government than it is about taking action.

Was it a surprise? The Minister of Energy is right now on CBC Radio saying that he didn't know there was a financial challenge in this fixed rate cap. He didn't know it. He was actually on CBC Radio saying that, when we'd gotten at least 10 questions posed by members opposite who were concerned about it. I did read the Hansard, and I encourage all of you to read the Hansard, from the estimates committee and a discussion that the member for Scarborough-Agincourt, whom I have a great deal of respect for, had with the Minister of Finance. He identified all these risks. He called them risks. He didn't say it was a deficit; he did say "risks." But all of these issues he identified back in June—there were no surprises—were all well known.

The issue of asset sales: They said they were surprised that there were \$2.2 billion in asset sales. They didn't know that. There was no commitment saying that they were ever sold. I do say that even Mr Peters acknowledges that there was \$400 million more; the sale of our 50% interest in Teranet had gone through. Mr Peters says he couldn't find any knowledge anywhere of any asset being sold. I can show you documents, signed by senior public servants, where they acknowledge that after we had sold the Mississagi system in the fall of 2001-02, we were going to sell the decontrolled Mattagami River system—market value of almost \$1.3 billion. But they said no one knew about that. Well, I've got the documents that have senior officials' names on them.

I had discussions with senior officials at the Ministry of Finance in preparation for the Epp report on the future of Pickering. We wanted to look at the very successful model at Bruce Power, and we could have done that. I spoke quite openly about adopting the Bruce model with respect to Pickering.

Clearly, nothing outlined in the Peters report, not a slim iota of information, was new. If there was any doubt, there is the Hansard, where the member for Scarborough-Agincourt outlined it all, but they tried to say that it was somehow a surprise, and now a disguise and a guise for not keeping any of their campaign commitments.

They put forward a throne speech. What are people saying about this throne speech? Let's look at the headlines:

"Liberal Promises on Back Burner." The Chatham Daily News.

"Rural Ontario Feels Left Out: Critics Say Liberals Too Urban-Focused." The Chatham Daily News.

"Service Cuts Likely, McGuinty Warns." The Kitchener-Waterloo Record.

"Smaller Class Sizes not a Great Idea." The Kitchener-Waterloo Record.

"These Liberals are Looking a Bit Conservative." The Kitchener-Waterloo Record.

"Rural Ontario 'a Dirty Word.'" The St Catharines Standard.

"McGuinty Hints at Tax Increases." The Kingston Whig-Standard.

"Liberals are in a Tight Spot." The Kingston Whig-Standard.

"Expect Service Cuts." The Peterborough Examiner.

"Smoking Ban Would Hurt Bars, Restaurants: Group Fears." The Peterborough Examiner.

"Organized Labour Less than Impressed." The Welland Tribune.

"Liberal Message: Think Small." The National Post.

"New Premier, New Mayor but Same Old Problems." The National Post.

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"The Liberals Missed the Boat." The Pembroke Daily Observer.

"Throne Speech Bad News for Seniors." The Cornwall Standard-Freeholder.

"Throne Speech Concerns Educators." The Cornwall Standard-Freeholder.

"Throne Speech Downplays Promises." The Ottawa Citizen.

"New Premier, Same Old Song." The Ottawa Citizen.

"A Threadbare Throne Speech." The Globe and Mail.

"Tories are Bad—Get the Message?" The Toronto Sun.

I could go on and on.

Look at what others are saying. In Dalton McGuinty's own hometown newspaper, Randall Denley, one of the premier columnists, writes, "There was a bit of hope, obviously naive, that Dalton McGuinty might actually be a different kind of Premier. The throne speech yesterday was further discouraging evidence of how unlikely that is." The Ottawa Citizen, November 21.

"Bad Tories, oh, bad, bad Tories, was the message. Okay, now click your heels three times and you're back in Kansas. The reality is there is no \$5.6-billion 'deficit.'" Christina Blizzard of the Toronto Sun—a very independent, credible journalist; very reputable.

**Mr Dave Levac (Brant):** Very reputable.

**Mr Baird:** Very reputable. The member for Brant doesn't think Christina Blizzard is reputable?

**Mr Levac:** I'm saying she's very reputable.

**Mr Baird:** Exactly. The member for Brant is saying she's very reputable, backing up what I said. Thank you, member.



"They promised us a shopping trip at Holt Renfrew, but we're going to Wal-Mart instead." Murray Campbell at the Globe and Mail.

I could go on reading; there are literally hundreds of them. But this is the reality, that Liberals right across the province went out and said things that cannot be delivered on. I can only imagine what the reaction would be if Mike Harris told people to temper their demands, if he said to schoolteachers or children or others to temper their demands.

To speak more specifically to Bill 2, though, one of the things I was a bit surprised at was the income tax changes in this bill. The Liberals I heard speaking in this chamber, in Kanata, in Nepean, in Ottawa, in Mississauga and in other places were saying, "We're going to raise the taxes on these big, evil companies"—you know, the eat-the-rich strategy that the NDP used to use. They said they were going to raise taxes on individuals. But part of this act—and I don't know if you've read this act—they say it's a small, little act. This is what I was given. This is the act. It's an omnibus act. It's changing the Corporations Act, the GO Transit Act, the Income Tax Act, the Municipal Act, the Ontario Home Property Tax Relief for Seniors Act, the Retail Sales Tax Act, the Tobacco Tax Act, and I could go on. It's a huge piece of omnibus legislation that you folks would have decried had you been sitting on this side of the House. It's one of the biggest bills brought in this early in the government. I think the member for Lanark-Carleton will agree.

What I'm surprised at is that there are specific sections. I would encourage all of the members, particularly the new members: you should read this. You have a responsibility to go through and read some of the drivel in this bill.

There's a section of this bill which specifically increases taxes for the lowest income tax rate. Why would you even touch that? Why would you even touch the lowest income tax rate, the working poor? You can brag all you want about raising the minimum wage and giving more money in the left hand, but when you're taking more out in the right hand? Why would you touch the lowest tax rate, those people who get up every morning, work hard to provide for themselves and their families, often struggle to get by? You're going to take more money out of their pockets. More people are going to go on the tax rolls than were on before this bill will become law. That's outrageous.

Not just to go after the poor, the weak and the meek; this bill also goes after—reading right from this bill. The member for Lanark-Carleton is obviously shocked and wants to become more aware of it himself. They're also going after the middle tax rate. So you're whacking the middle class.

I think one of the responsibilities of government should be to grow the middle class, to try to encourage working families to be able to provide for themselves and their children. It doesn't just do that in the income tax portion; it does that in the new home sections, where we're trying to encourage people to purchase their own

homes. That's a real shame. That's what this government is also up to.

I did ask the Minister of Economic Development and Trade—we always hear, "Well, Ontario's too competitive. We don't need to be that competitive." I said, could he name me any provinces in Canada that will have lower business taxes once this bill is passed? He went on about some arcane formula with respect to corporations in North America. The reality is that corporate taxes will be lower in both Alberta, the province we're competing with to be the economic leader of the country—until this government took office—and Quebec, our largest trading partner in Canada. There will be a Quebec advantage. When a company is looking at investing, and making investment in creating jobs, they're going to see that. At the boardroom table they're going to see that taxes will be lower in Quebec, and then we'll wonder why the jobs go to Montreal instead of coming to Ottawa, the GTA or the technology triangle of Kitchener, Cambridge and Waterloo.

They talked about US states: "We're already competitive enough." But let's add up all the demands and costs on business south of the border—the regulatory environments. In the United States, 19 states have right-to-work laws. It's been decided we're not going to do that in Ontario, so our taxes had better compensate for that to make it a brighter place to invest.

When I first got here, the member for Kitchener-Waterloo will remember, the Liberal Party would cry, "Where are the jobs? There are no jobs." Then the jobs started to come. They said, "Yes, but you promised 725,000 new jobs." Then, when job creation picked up, they said, "But you promised 725,000 net new jobs." By the time it was going on, they were talking about 725,000 good-paying, full-time net new jobs.

Then the two famous lines were, "Boy oh boy, we owe all this economic prosperity to the United States." Thank you, Alan Greenspan. Thank you, Bill Clinton. The reality is that in the last 18 months we've seen more jobs created in real numbers right here in Ontario than in all 50 states combined—not the average; not per capita. More jobs have been created in Ontario than in all 50 states combined. That's the reality. That didn't happen by accident; it didn't happen because of Paul Martin; it didn't happen because of Alan Greenspan; it happened because this government had the courage to create the right conditions for investment and opportunity. What we're seeing is a turning of the page of that type of strategy, where our government is actually saying, "We're too competitive. We don't need to worry about it."

One thing I learned on the election campaign—and I know the member for Lanark-Carleton, who represents the growing community of Kanata, will have met many people whom he spoke with, going from door to door in the election campaign—is that there are a lot of people in the new city of Ottawa who have been laid off by the high-tech sector, who are unemployed, who lack hope and the ability to provide for themselves and their family.



When Nortel is looking at keeping jobs or bringing new ones, I don't want those jobs to go to a Richardson, Texas. I don't want those jobs to go to a Raleigh or a Durham, North Carolina. I want them to come to Nepean. I want them to come to Kanata. I want to see them come to Mississauga and to the technology triangle for new jobs. I'm terribly concerned that the light of Ontario is just a little less bright. It's a concern.

I say to the Minister of Northern Development—he's a good guy—we want to see more jobs created up north, and I don't think raising taxes is the way to do it. You talk to the mining sector. You ask them if those mining tax cuts that were brought in over the last eight years have helped create jobs. To a T, you will find unanimity among those mine producers, the job creators in northern Ontario. I encourage the Minister of Northern Development and Mines to take that same broader approach with the rest of the province.

I could go on. You look at other consequences. There are currently four jurisdictions in Canada that have manufacturing and processing rates which, once this bill passes, will be more competitive than us. And there's British Columbia, with a new free-enterprise government. It should be a real concern that jobs will go there. Premier Campbell was here just yesterday.

New Brunswick, among a number of other jurisdictions, has a manufacturing and processing rate that will be lower than ours once this legislation passes. That should be a concern. Frank McKenna used to come job poaching in the GTA when he was Premier under the former NDP government. We had to provide OPP security for him and pay for it. That was the real obscenity for Ontario taxpayers. We don't want to see that kind of job poaching return. That is a concern.

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So they're not just raising taxes on corporations; they're raising taxes on the lowest income tax rate. Why you would go after the poorest in your first budget bill—was that something that all of you new members knew about when you were campaigning: "Yes, I want to raise taxes on the working poor"? I didn't hear about that in my constituency and I suspect you weren't telling that to folks in yours. What I saw during the election campaign was a multi-million-dollar ad-buy where Dalton McGuinty looked right into the TV camera, looked right into the homes of people of Ontario, and said, "I won't raise your taxes"—unless you're a senior, unless you're trying to buy your own home, unless you pay income tax, unless you're a smoker, unless you run a small business. I think it's frankly outrageous. There was no asterisk on those television commercials. There was no fine print. You watch television advertisements for pharmaceutical products and they have to list what the problems are: "This may cause liver disease. This may not be good if you're expecting a child," blah, blah, blah. We didn't see any of that small print in Dalton McGuinty's partisan advertisements. They said one thing on election day and then did another.

Why wouldn't they go out and brag about raising tobacco taxes? Can you think of any tax rate that's 74%?

I'm not making an argument against tobacco tax. I don't smoke. I'm a vehement anti-smoker. I appreciate the leadership provided by the former Minister of Health and by my friend Norm Sterling, who is a long-time advocate on this issue, as the member for Waterloo-Wellington will know.

But are they taking this money, and what are they doing with it? I think one of my colleagues will speak to that later. So I'm concerned about that. I'm concerned about the whack that this is going to give to corporations, where we're already falling behind, between Quebec and Alberta. I say to my friend from Ottawa-Vanier, whom I admire and have a great deal of respect for—I'm looking forward to having the chance to work with her over the next four years—when she looks across the river from her constituency, does she want a lower tax rate on the other side of the river? Their property taxes are lower; now their corporate taxes are going to be lower. The price of land is lower. The price of labour is lower. We don't want to see that. I know the member for Glengarry-Prescott-Russell is nodding his head in agreement. He doesn't want to see that either, but that's why we've got to vote against this bill, or at least move to change it. But it goes on.

I will say one good thing about this act. I am pleased with one of the amendments to the Retail Sales Tax Act, where they're proposing to extend the rebate on energy-efficient appliances. I think that's good news. It will encourage more people to trade in an old appliance and get a new one, which will have great benefits for our environment and for our energy supply. They're keeping that, which is good news and I do support that.

I would like to see, with respect to tobacco in this bill, some commitment to tobacco farmers. This is a sector of the economy which is obviously declining and in need of support, whether that's in Oxford county or Brant or Norfolk. Toby Barrett, the member for Haldimand-Norfolk, has been a tireless advocate for the agricultural sector. I don't want to just hope that this Minister of Agriculture, with his performance this afternoon—hope that maybe down the line he'll consult and maybe something will happen, because once the money goes into the pot, it will disappear and will never be seen again. There should be a proposal with respect to that.

Somehow, people are thinking that all these big tax increases are going to go to health care. The member for Lanark-Carleton—we fought hard for a new hospital for the Royal Ottawa. It's a mental health hospital and its plant is in terrible shape. They came forward. George Langill and the entire team at the Royal Ottawa Hospital came forward with a private-public partnership, an innovative design where they would maintain all of the clinical services, all of the medical services. The private sector would provide things like shovelling the snow, mowing the lawn, things like the laundry, food services and whatnot. Substantive savings can be made by allowing the hospital to be rebuilt and redesigned so the labour costs can be reduced because the hospital was spread out over a number of old, aging buildings. If it's redesigned



they could close part of the hospital; it just operates during the day.

The Liberals promised to cancel it. I know the member for Ottawa Centre has cared a lot about this issue and he was just as concerned as I. We were concerned that they were going to cancel this hospital. I want to congratulate the government on another thing they've done right. They didn't cancel it. They're keeping the arrangement, but it's very different. I can see the arrangement that the Liberals have put forward with this private hospital in Ottawa; it's different.

I'm going to show you. The announcement that the Liberals made on Friday in Ottawa—they have red letterhead. It's red. Ours was different; ours had blue letterhead. But it's the same deal. You just changed the colour of the letterhead. Yours is red and ours was blue.

**Mr Sterling:** Same as their Web site.

**Mr Baird:** Same as their Web site; exactly.

I looked to Randall Denley, whom I have a lot of respect for. Here's what he said about the Royal Ottawa Hospital announcement the other day:

"Yesterday's Royal Ottawa Hospital announcement was Dalton McGuinty's litmus test for political stupidity. If he had actually cancelled the new hospital because the building would be privately owned, McGuinty would have earned himself a place alongside Prime Minister Jean Chrétien and his famous cancellation of the helicopter deal.

"Fortunately, McGuinty isn't that stupid, but the way he spun his new deal, he must think the rest of us are."

There wasn't a single reporter at that press conference who didn't think that the deal was any different than the colour of the press release. One of the reporters asked Mr McGuinty, "What's the difference between a 'po-tay-to' and a 'po-tah-to' as a comparison?" Dalton wouldn't answer.

I listen to CFRA every morning, as my colleague from Lanark-Carleton does. Dalton is on his 112th day of refusing to talk to CFRA radio station, the biggest radio station in our community of Ottawa, I say to my colleagues from Ottawa. He won't talk to them. He won't talk to this—

*Interjection.*

**Mr Baird:** It's the best one. Lowell Green just gives the truth. Lowell Green won't go on the show. It's probably because it's in Ottawa.

I say to my friends from Ottawa—you'll know this—that in Ottawa there is a bit of a sense that Toronto gets everything and Ottawa doesn't get anything. Boy, have we seen that with this government. Dalton McGuinty is the Premier of Toronto.

In our government, we only had a single full minister from the city of Toronto. In this government they have eight. They've gone up an 800% increase, in the full-time—

**The Acting Speaker (Ms Caroline Di Cocco):** Excuse me. I believe there are cellphones going off in here. There's something going off. So I'd like it either removed or turned off, please.

**Mr Baird:** I'm shocked that these members would bring a cellphone into the Legislature, Madam Speaker.

Dalton McGuinty not only refuses to go on the Steve Madely show in Ottawa; he refuses to even answer the CFRA reporter's questions at press conferences. He joins the mayor, where Dalton's brother is the chief of staff. The mayor is on day 46 today. He won't speak to CFRA radio station either. I can imagine if you tried to do that to CFRB in Toronto. Boy, would there be heck.

We've gone from one full minister representing the city of Toronto to eight: an 800% increase. We only had one member from Hamilton, so we could only have one. Hamilton were hoping they were going to get two or three ministers. They've got a number of high-profile and capable representatives, but they stuck with one. Why did they only get one? Because Dalton McGuinty worships at the feet of Toronto. He had a big scrum. The mayor of Toronto was here today, and that's the importance. But you think, "OK, well then, there must be few ministers who abut Toronto if they're all in the same—oh, they've got lots of ministers. They've got the finance minister who controls all the purse strings from a riding right beside Toronto; the transportation minister who doles out the money, and that's going to all go to Toronto. We're concerned about that and we'll be watching very closely about this 800% increase in cabinet representation for the city of Toronto—800%.

No wonder they think in Ottawa that this is a Toronto-centric government. No wonder they think in northern Ontario that this is a Toronto-centric government. No wonder they think in Hamilton that this is a Toronto-centric government. It's all about Toronto.

2030

*Interjection.*

**Mr Baird:** I know the Minister of Finance is saying that we don't give enough money to Toronto and complaining about that. I'll tell you that the mayor of Toronto is biding his time—

*Interjection.*

**Mr Sterling:** Where's the two-cent tax? How much are you going to give him?

*Interjection.*

**Mr Baird:** "In the fullness of time," the Minister of Finance says.

**Mr Sterling:** The Minister of Finance is saying we gave nothing to Toronto. You promised them two cents on the tax. Where is it?

**Mr Baird:** I'm always pleased to get advice from the great wise helmsman of the Ontario Legislature, Norm Sterling. Just him sitting beside me, my IQ goes up two or three points. I'm very fortunate.

I've talked about the hospitals—another promise the Liberals have backed away from.

I'm going to go home on Friday and I'm going to learn more in Ottawa about the provincial government than when I'm in Toronto because when Dalton gets home, he gets away from all the evil spin doctors and his advisers, the cadre of the merchants of fear.

I was also reading the Citizen on Saturday morning: “McGuinty to rewrite balanced budget law.” I said, “I’ve been at Queen’s Park all week. I listened to the throne speech. He didn’t mention that.” Apparently he has a secret, quiet process going on to have the Minister of Finance rewrite the balanced budget law, and I thought, “Is this the same law that he signed just a few months ago?” Was that the same law—

**Mr Bruce Crozier (Essex):** Is that the same law you changed a couple of years ago?

**Mr Baird:** That law was changed. The official opposition of the day was justifiably angry, and the people of Ontario have rendered a verdict on it.

Dalton signed it one day, voted for it on all three readings, got offended when anyone suggested he wasn’t against it. After the election, the Liberal campaign promise: “It’s perverse.” His words, not mine, Speaker.

He says, “The opposition decried this government for changing the taxpayers’ protection pledge.” Rightfully so, and I’ll tell you, the people of Ontario have rendered a verdict on that, but let’s talk about your government.

He signs the taxpayer protection act, votes for it and then calls it perverse and calls it a joke. That’s outrageous. We’re going to hold this government’s feet to the fire. They said they’d live by the Taxpayer protection act. I guess they’ve lived by it for at least three weeks, so that must have been the case. I suppose if they change the act, they’ll still be abiding by the act. These are the kind of actions that lead to cynicism in government. These are kinds of actions where governments don’t keep their promise.

You talk about the rate cap. I saw Dalton McGuinty at the airport the morning we announced it. I said, “Dalton, watch what we’re going to announce. It’s a good policy. You’ll like it.” He said, “Oh, no, John. No, John.” He came out swinging against our energy policy last November 11. We bring it into the House and he calls it outrageous; calls it stupid. He sends a fundraising letter out at 1 o’clock to all the energy stakeholders telling them, “I’m going to be consistent on energy policy. Send me \$7,500.” That’s at 1 o’clock. At 3 o’clock he announces he loves the energy policy of the Conservative government. He’s going to support it, and all the Liberals members at 1:45 line up to vote for it, first reading, second reading, third reading. The only person who didn’t, by the way, was the energy critic, Sean Conway, who left the room because he was so appalled at their flip-flopping. Is it any surprise that they have now changed their mind again?

*Interjection.*

**Mr Baird:** I say to the member from Essex county: Watch what voters do to people who change their mind too many times.

**Mr Crozier:** That’s what happened to you.

**Mr Baird:** I say to the member for Essex county: Watch, and you could learn from the experience.

**Mr Crozier:** We’ll try.

**Mr Baird:** You’re not trying very hard if he says he’s trying to learn from the experience, because this govern-

ment’s brand is already a government which breaks its promises. They promised they were going to protect the Oak Ridges moraine on October 17 after the election and then sent poor Gerretsen—hung him out to dry, sent him up there—it was embarrassing for the man. Did you see the press conference on TV? My God, the man’s going to have to get running shoes. He runs away from the press; he runs away from scrums.

**Hon Mr Sorbara:** Who?

**Mr Baird:** Gerretsen. It’s sad. Someone’s going to get hurt. We’re going to have to have “no running in the halls” governed by the Speaker. It’s sad. He’s been hung out to dry by this cabinet. They tried a really sneaky thing, the evil Liberal spin doctors—there’s a few of them sitting over there. I won’t name them, particularly. There’s one sitting there, not a few; I know of only one evil spin doctor sitting over there. He works for the Ministry of Public Infrastructure Renewal. They actually did this thing. They tried this little deal where they have the Minister of Health doing a press conference in Brampton, the Premier doing—

**Hon David Caplan (Minister of Public Infrastructure Renewal):** Name names.

**Mr Baird:** Give me his name and I’ll name him. They have the Minister of Health giving a press conference in Brampton, they have the Premier giving a press conference in Ottawa and they have the Minister of Transportation giving a press conference downtown, hoping they can spread all the reporters so thin that no one will show up to find out about the promise they broke. It’s outrageous, and we’re going to hold them to account on that when they broke that promise.

They broke their energy promise today. I was pleased to award Dwight Duncan earlier today, with the media—to make him the first member of the Liberal promise breakers’ club. He is the charter member of the Liberal promise breakers’ club. We were pleased to inaugurate that earlier at a very well attended media conference. I say to all those members: All of you were nominated. Stay tuned. You might get awarded this thing soon. You don’t have to go far. You can go on any street, go into any coffee shop, go to anyone up in the media gallery and ask, “What’s the hallmark of this government?” Breaking promises, that’s what it is. That’s not just about 2003; it’s about reducing the esteem that all politicians are being held to. When you say one thing before an election to get people’s votes—

**Hon Mr Sorbara:** Get over it, John.

*Interjections.*

**Mr Baird:** Some people said they made these promises and were naive and reckless. Those aren’t my words. Those are John Gerretsen’s words. He said they were naive. Some people said they were reckless. Some people said they were lying, but I wouldn’t because that’s wrong. I wouldn’t say that because that’s wrong, but that’s what some people said.

**The Acting Speaker:** I would ask the member to withdraw.

**Mr Baird:** I withdraw.



But that's what some people are saying. In cities, towns and villages across the province that's what they say. That hurts our profession, that hurts the public good and it's just disappointing. We balanced the budget four times. Mr Peters's report is clear that there is no deficit. You never balanced a budget, and we look forward to learning more from my colleague the member for Kitchener-Waterloo and what contribution—

*Interjection.*

**Mr Baird:** The member for Lanark-Carleton says, "We would have." We could have; they won't. We will be very clear on that in short order. It's unfortunate that it took David Peterson at least three years to become this arrogant, but they've done it early in the first month.

**Mrs Witmer:** It's a pleasure to join the discussion on the Liberal tax hike act this evening. What a difference a few weeks can make. Throughout the election campaign this fall we heard Dalton McGuinty on a regular basis tell us that there were 231 promises that he was going to keep and that he was not going to raise any, any taxes. He told that over and over again to the people in the province of Ontario. However, yesterday, with the introduction of the tax hike act, he broke one more promise, and this is probably just one of many, many promises that he is going to break. I think we can all remember that TV ad—it was played over and over again—where he very solemnly looked people in the eye as they sat in their living rooms or their family rooms and he said, "I won't raise your taxes." Yesterday he broke that solemn promise. He broke his pledge to the people of this province, just as he has broken at least five other of the 231 promises, including the hydro cap, the P3 hospitals and the building of homes on the moraine.

2040

Let's just take a look for a minute at the P3 hospitals and the promise that has been broken. Let's just remind the people in this province that P3 hospitals mean private-public partnerships. Let's remember what Dalton McGuinty and the Liberals said: that this was creeping privatization, this was Americanization, and they weren't going to stand for it. I can tell you that these hospitals in Brampton and Ottawa are still being built by a private consortium. That consortium will finance them. They will build them, they will operate the ancillary services, while leaving the medical services to the public authorities, just as we had planned to do. The public is still going to be making payments to the private consortium. Nothing has changed.

If you accused us of two-tier, this is still two-tier. The private sector is building these hospitals. You are paying the private sector for these hospitals. These hospitals are going to be operated by the public, just as we were going to do. You've used a few little weasel words like "mortgage" and "lease" to try to indicate that it's different; it basically isn't. You don't own them yet.

Let's take a look at the legislation yesterday and at the impact this is going to have on people in Ontario. You cancelled personal income tax cuts. Some of the lowest—income and middle-income people in Ontario, regret-

tably, are going to be impacted the most by that particular change. It's going to eliminate the final stage of the 20% personal income tax cut that was outlined in the 2001 Ontario budget. The net result of these tax measures on people making \$40,000, which as you know is much less than what we're making in this House, would be a tax increase now of approximately \$180 per year—money that they could have kept in their pocket; money that they could have used to buy food for their children, to buy clothing for their children, to buy Christmas presents for their children. They will not have that saving.

This act that you've introduced also freezes the threshold for the personal income surtax at current levels. This effectively means that 470,000 Ontarians will be required to pay this punitive surtax that they would no longer have had to pay under our plan.

Let's take a look at the business taxes. You talk about corporate taxes. Let's remember that most of the people who pay the taxes are your neighbours; they're your friends; they're small- and medium-sized businesses. For them, it's going to mean that they have less money for research. They have less money for benefits for their employees. They have less money to hire employees. Think of what it might mean for students next summer as they look for a job. These additional taxes are going to mean that people have less money to hire people like students. Have you considered that?

Also, the legislation scraps the private school tax credit. I guess what I was quite surprised to learn was that you were going to be making it retroactive to January 1, 2003. I said before, in my response to the finance minister, that the majority of people who benefit from the private school tax credit are people who have incomes that are much less than what we earn in this Legislative Assembly. They've chosen these schools for religious and cultural reasons or because of different teaching techniques. I think that to retroactively go back to January 1, 2003, is a very punitive and mean-spirited measure.

This \$4.1-billion hike in taxes is the largest tax grab in the history of this province. In fact, it reminds me of when I came to office in 1990, when I was first elected. Those were the days of the tax-and-spend Liberals and NDP. In fact, we could take a look at David Peterson. He raised taxes in 1989 to the tune of \$2.8 billion. Bob Rae—he wasn't quite as greedy. He only raised them to the tune of \$2.2 billion in 1993.

I was the critic for labour between 1990 and 1995, and I can tell you, it was a time when businesses in this province were fleeing. They were fleeing the province of Ontario to set up a mailbox even in Buffalo in order that they would have a better tax environment. They were looking to the southern states to set up those branch plants, to get out of the province of Ontario.

I also know what happened when we came to office in 1995. We recognized that you're not going to have money to invest in health care and education if you don't have economic growth. We had just seen the loss of 10,000 jobs in this province. It was a sad time. For

anyone who had children graduating from high school, college or university, there simply were no jobs available. For anyone looking to make a move, they couldn't. There were no jobs—10,000 jobs had been lost in this province prior to 1995. Believe me, there was no hope in this province. There was a tremendous amount of pessimism.

When we were elected in 1995, we realized that the first thing that we had to do was create the environment for economic growth, and we did. We balanced labour legislation, we overhauled the WSIB, we set about tax reductions and, thanks to that environment, we have seen, since 1995, the creation of over one million new jobs. Those were created by the private sector.

So I hope this government remembers that you need economic growth, you need job growth, because that's what allows you to invest in education, health care, the environment and social services. Under our government, between 1995 and 2003, we increased health spending from \$17.6 billion to over \$27 billion. We've improved access; we've improved services; there are more cancer centres, more cardiac centres, more MRIs, more CAT scans, 20,000 long-term-care beds; we've improved community health care, mental health care. Ladies and gentlemen, we did make improvements to the quality of life, and that's what can happen when you have tax cuts and you create the environment for economic growth.

Dalton McGuinty tries to justify these tax increases by blaming everything on the supposed inherited Tory deficit. As I said before, it is not a deficit. It is a projected mid-year worst-case scenario. It was not an audit, but a review. If you don't believe what I've just said, let me read the words of an economist, who says:

"Of all the comments that could be made about the Ontario budget deficit report, the most charitable would be that it is misleading"—his words; not mine. "In fact, it contains fundamental errors and includes items that have no basis, either by precedent or in reality.

"In general, history shows that often an incoming administration exaggerates the budget deficit that it inherits, to put the fiscal situation in calamitous terms. Then it can justify its failure to implement part of its program, and later claim that it has reduced the deficit and is more responsible than its predecessor. Thus, at the outset there is a lack of integrity that fuels widespread cynicism. That is the situation here."

Before I tell you about the economist, I want to tell you what else he says: "There is much to be criticized in [the] report. Of great significance, almost no one has mentioned the fact that the budget numbers are based entirely on projections based on the first six months of Ontario's fiscal year. Thus, the calculations simply are estimates, constructed from only one half year, a period when several non-recurring events hurt the economy and cost the Ontario treasury a great deal of money: the SARS outbreak, mad cow disease and the blackout. Any economist will state that no one can predict with any authority what revenues will be for the period from November to May, given the extraordinary negative

events that adversely affected the Ontario economy earlier this year."

**2050**

He goes on to say, "All but ignored is that the second half of the year will be far more profitable for the LCBO. It is estimated that roughly 25% of sales and profits are generated in liquor sales in December alone."

He goes on to say, "It is reasonable to conclude that most of the shortfall in this category will be erased by the end of the fiscal year." He goes on to talk about, "After languishing for most of the year, the economy in the United States has begun to recover, soaring 7.2%, the fastest growth rate since 1984."

**Mr Baird:** It has been adjusted to 8%.

**Mrs Witmer:** And do you know what? Mr Baird just said it is now adjusted to 8%. If this was the fastest growth rate, 7.2%—it's now 8%. So this is going to have a more positive impact on the economy in the province of Ontario. Again, the stronger growth south of the border will spill over to Ontario, so we need to keep that in mind.

"The former auditor also completely ignored the probability that the federal government would make a contribution to health funding." He has announced about \$770 million—and also he did not include the money for SARS.

He goes on to say that, "The Eves administration has instituted a freeze on hiring that, along with other planned savings, could provide \$800 million."

Then he goes on to quote my good friend MPP Ted Arnott, who has pointed out and said, "In generating the new projected deficit, Mr Peters has added in Hydro's debt numbers. This is a departure from past provincial governments of all stripes.

"The hydro accounts have always been kept separate from the provincial government books. Hydro ratepayers have always been on the hook for Hydro debt, not taxpayers." He goes on to say, "Hence, there is no reason why this presently is included as part of Ontario's deficit, except to inflate the total for obvious reasons."

Then he goes on to talk about Teranet, and again some of the numbers in there are not accurate.

**Mr Baird:** Who wrote this? Which Tory hack wrote this, Elizabeth?

**Mrs Witmer:** I want to tell you, this was an economist who wrote this. And it's not a Tory.

**Mr Baird:** It's the Fraser Institute.

**Mrs Witmer:** It's not the Fraser Institute. Who do you think?

**Mr Baird:** It's Conrad Black.

**Mrs Witmer:** Do you know what? This was a provincial Liberal candidate who tried to win in 1985. He was an adviser to Robert Nixon, and his name is Bruce Whitestone. In fact, he ran in the riding that's presently represented by my friend Mr Arnott. So if you don't want to believe what we're saying, we have it on good report from a former Liberal candidate, adviser to Robert Nixon, that this is his opinion of the Peters report.

Let's go back to the broken promises and not raising taxes. Not only did Mr McGuinty tell the taxpayers day



after day, "I won't raise your taxes," but he went on, as we all know, and he made a big show of signing the Canadian Taxpayers Federation protection pledge during the election campaign. He indicated that he wasn't going to raise your taxes without a referendum, but that is exactly what happened: He has raised our taxes.

I would say that yesterday's announcement had to be a very sad day for people in the province of Ontario, who have worked to so hard to rebuild the economy of this province and who were responsible for helping with the creation of the million new jobs. This bill introduced yesterday, this Liberal tax-hike act, will serve no other purpose than to chase the jobs away again from the province of Ontario, jobs that fled this province between 1985 and 1995. This bill will do nothing more than to take hard-earned dollars out of the pockets of parents who work hard for their money, and of seniors and low-income earners.

We have heard from employers already who are concerned about the impact this is going to have on their ability to expand their business, do research and create new jobs in Ontario. They know that corporate taxes must be competitive. So with one act, Dalton McGuinty has single-handedly eliminated Ontario's competitive advantage to attract new jobs to our province.

I think of the auto industry. I think of Toyota in my own community. It is this type of legislation, this type of bill, which will certainly not entice them to seriously consider building another auto plant in Ontario when they can set up an auto plant in another province or another state. If they do that, they take jobs with them as well.

The other thing we want to keep in mind is that with the introduction of the bill yesterday, Dalton McGuinty has become the largest tax-hiker in the history of this province. His \$4-billion tax hike yesterday surpasses what was done by David Peterson and Bob Rae. The most disturbing part is that the people who suffer most are the low- and middle-income earners. For people who earn \$45,000, they'll see an increase of \$200. You know what? These people are not rich. I hope you consider the impact of your legislation.

**The Acting Speaker:** It's now time for questions and comments.

**Mr Bisson:** I want to commend, first of all, the two members, the member from Nepean and the member from Kitchener-Waterloo, for what I would say is a good attempt to defend what happened in the last budget. We've got to be clear; we've got to go through this one more time.

What's clear is that the government of the day, the Conservative Party of Ontario, had a problem going into the last budget year. They knew they'd be in an election cycle, and given their mantra that they were the people who were going to balance the budget and create all this economic growth and be just the competent fiscal managers they like to be, they had to show they had themselves a balanced budget, but in fact they didn't. We sat on the estimates committee—myself, my leader, Howard Hampton, along with Mr Phillips, who was

there—and it was clear when we looked at the numbers last May and June that the numbers being presented by the government were, quite frankly, not spot-on. Mr Phillips himself, if I remember correctly, back in June was saying that when you piled up the numbers and added them all up, there was at least a \$5-billion deficit come the end of the addition process we'd go through. It was clear to the Liberals of the day, being the Dalton McGuinty opposition Liberals, that there was at least a \$5-billion deficit last spring.

I commend the two members for trying to defend their take on what was or wasn't the deficit, but what's more salient and to the point is that this government now is trying to hide behind a so-called surprise deficit. Listen: It ain't cutting it out there. People know that you guys ran on a number of promises and that you're using the deficit to backtrack and to break promises, stacking them one on top of the other. At the end of the day, you were elected to do things, and if you can't do them or you don't want to do them, at least you should be clear with the people of Ontario and say that you're breaking your promises.

**2100**

**Mr Patten:** I find it particularly interesting to hear the member from Nepean, who was at one point the Minister of Community and Social Services who helped to reduce by 21.6% the welfare rates for the poor whom he seems so concerned about tonight, and at a time in which people needed the support, and took away the baby bonus and clawed it back for single women on welfare who might have wanted to go back to school but they couldn't because it's considered income, and things of this nature. We will change that now.

When he says that we are raising taxes—of course, for the people who are watching this debate; and I know there are hundreds of thousands all over Ontario—they should know the words that are used. Because we are not implementing what they proposed, they call that an increase in taxes. Because we're not implementing their further decrease of corporate tax, because we're not implementing their gift to the private, independent school sector, because we're not implementing other areas of tax that they proposed that we feel are regressive, they call that tax hikes. They're not tax hikes at all; it's just not implementing what they proposed.

We went to the people. Dalton McGuinty was straightforward and said, "This is what we will do." People today will have no more on their income tax next year than they had this year, and we will see that happen.

When you talk about the ROH, the Royal Ottawa Hospital, the one thing they didn't talk about was the nature of the relationship on control, who is going to call the shots down the line. The way you had restructured it, it was up to the contractors. That's changed. It's a public hospital; a public board will be in charge. They will be public hospitals.

**The Acting Speaker:** Questions and comments? I recognize the member from Erie-Lincoln.

*Applause.*

**Mr Tim Hudak (Erie-Lincoln):** I appreciate the strong support of our caucus as I make some comments.

I enjoyed greatly the comments of the members from Nepean and Kitchener-Waterloo. Obviously, with their time in the Legislature, the important portfolios that they held, they have great insight to lend to the House. I found myself very much wrapped up in their conversations.

A couple of things really surprised me, because I've listened closely to the debate. I remember very clearly watching on television, and Dalton McGuinty—and I think Mrs Witmer talked about this—looked at me through the TV screen and he said, "I will not raise your taxes." Then one of the first bills in the Legislature, the first one introduced this week, is the biggest tax hike in the history of the province of Ontario—what a start.

Maybe I didn't have a high-definition TV. I didn't see the little asterisk on the TV screen.

**Mr Baird:** There wasn't one.

**Mr Hudak:** There was no asterisk?

**Mr Baird:** No.

**Mr Hudak:** You have to watch it closely, because I heard Dalton McGuinty say, "I will not raise your taxes." On Monday, I saw what looked to be Dalton McGuinty stand up in the Legislature and introduce a bill that was the tax hike in the history of the province of Ontario.

Maybe below the screen he had his fingers crossed. Maybe my TV wasn't quite long enough. But I remember him looking into the TV and telling the taxpayers of Ontario he would not raise taxes.

The member for Kitchener-Waterloo brought up a very important point. She has put together the tax hike hall of shame. Do you know who number 3 on that list is? You think Bob Rae raised taxes a lot? He finishes number 3: a \$2.2-billion tax hike. Number 2 takes you back to the late 1980s: David Peterson was number 2. Do you know who the number 1 guy is in the tax hike hall of fame? In his first week, Dalton McGuinty: a \$4.1-billion tax hike—not a great start.

**Mr Kormos:** I've been following this debate with great interest. I've been glued to the television set in my office. I made some observations. This afternoon's lead-off speech by this government: It took seven members to do a leadoff speech. This evening, the leadoff speech utilized at least three people, or four people.

**Mr Baird:** Two.

**Mr Baird:** Two.

**Mr Kormos:** Only two for the leadoff speech? Maybe there were three.

Where I come from, with the New Democratic Party caucus, we can manage a leadoff. We don't need help, reinforcements, to do a leadoff, for Pete's sake. But having said that, I also heard the concerns about the progress of the government not being as speedy as they wished it were.

Last night here I was, listening to the government. They hadn't been at the job for even 24 hours and the Liberals at Queen's Park gave themselves a three-month vacation. It blew my mind; it rotted my socks; it curled my hair. I had colour in my hair before I heard that motion from the Liberals—not here 24 hours, and a

three-month vacation. Shame on you pigs at the trough. Shame on you people with your arms elbow-, shoulder-deep into the public piggy jar. Who are the piggies? You're the piggies, you porcine Liberals, so eager to use your taxpayer-funded salaries to head off January, February, March to, oh, the Caribbean, perhaps southern Europe, South America, who knows where, but Lord knows, a three-month vacation after one day at work.?What pigs. Shame on all of you.

**Mr Patten:** On a point of order, Madam Speaker: I believe that language is unparliamentary.

**The Acting Speaker:** I ask the member to withdraw, please.

**Mr Kormos:** With all due respect, I didn't hear the point of order.

*Interjections.*

**Mr Kormos:** The pigs at the trough? No, I'm not going to withdraw "pigs at the trough." If it looks like a pig, if it oinks like a pig, if it's fat like a pig and if it's got its head in the trough like a pig, it's a pig. I ain't withdrawing nothing, Speaker.

**The Acting Speaker:** I believe that there is a certain amount of decorum that we want to maintain in this House in spite of all the differences. I do ask the member to withdraw.

**Mr Kormos:** The Liberals were pigs by declaring themselves a three-month holiday within 24 hours of coming here. I ain't withdrawing nothing.

**The Acting Speaker:** I'm going to ask you one more time to withdraw.

**Mr Kormos:** Speaker, these Liberals are pigs at the trough. They get themselves a three-month vacation after being here not even 24 hours. I ain't withdrawing nothing.

**The Acting Speaker:** I'm going to give you one more chance before I name you.

**Mr Kormos:** Speaker, the Liberals are pigs at the trough. They give themselves a three-month vacation on taxpayers' salaries after being here not even 24 hours. I ain't withdrawing nothing.

**The Acting Speaker:** I believe that that language is unwarranted in this House and I am going to name the member.

*Mr Kormos was escorted from the chamber.*

**The Acting Speaker:** The member for Nepean-Carleton.

**Mr Baird:** Madam Speaker, you're tough, but we'll respect you when you're tough.

**Mr Hudak:** Tough but fair.

**Mr Baird:** "Tough but fair," the member from Erie-Lincoln says, and I mean that. I mean that very sincerely. You handled yourself in an exemplary fashion.

I want to thank the members for Erie-Lincoln, Ottawa Centre, particularly the member for Niagara Centre—I'm sorry he couldn't be here to hear my response—and the member for Timmins-James Bay for their comments.

I'm very pleased that the Minister of Municipal Affairs is back, because one of the things we're repealing in this tax increase bill, this whopping tax increase bill, the biggest tax increase in the history of Ontario, as the



member for Erie-Lincoln said, is the tax cut to help our seniors, people who have contributed a great deal in this society. To eliminate the tax cut that these seniors have—it's the law of the land today and a lot of seniors had depended on that. This sort of sums up the Liberal approach to government.

The Minister of Municipal Affairs I think is also the minister responsible for seniors. What did he say on June 11? He said that this policy—and I love this. This sums up the Liberals' finance policy, I think. He said, "It goes directly contrary to the whole notion of government and what government should be all about, which is to collect taxes from the people." That's this approach to government.

*Interjection.*

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**Mr Baird:** You said that on June 11. I've got it right here in this Hansard. I remember I was shocked when you said it, and even more shocked that as minister for seniors this is what you would say to our seniors, that the whole purpose of government is to dig deep into the pockets of the people they serve. Even on their wildest days, in the socialist heydays of the 1990s, a New Democrat would never have said that, let alone our Treasurer of the day. So I hope we can convince them in committee that they should back down from this irresponsible tax hike.

**The Acting Speaker:** Further debate?

**Mr Lou Rinaldi (Northumberland):** It's a real honour to be here tonight to speak in front of this House and to represent the people of Northumberland who unanimously, across the riding, elected me to represent them here tonight and for this term, for the next four years. I'm really honoured that they bestowed that confidence on me.

As a rookie in this House I'm not going to carry on talking about numbers like we've been doing all night. I'm sure that both sides of the House have the history to talk about that. I don't.

I'll tell you what I'm going to talk about. I'm going to talk about what people told me when I was campaigning for this job, for this position to represent them. My riding, for people who are not aware of it—it takes an hour and a half to drive from one end to the other. As I went door to door and as I drove from community to community, they were really concerned about the way things were run in the province. A couple of things came up over and over again, and it was really strange at first that they were the same things as in municipal government, which I left after 11 years to be able to serve the people in my community at a different level. They were education and health care. It was really reassuring to me to hear those things. Things that they told me mirrored the platform we ran on: that you could only cut so much to the bone and then there's only bone left; you can't eat any more. The cutting mechanism that the former government used really wore out. I guess that made my job a lot easier as I went through the campaign.

I can tell you, we talked about the seniors' rebate on their property taxes. I have to relate an experience. I'm

going to use some experiences, because I think they're really meaningful. That's really what the people of Ontario wanted. I was very fortunate that a group of seniors right in my backyard, in the community of Brighton, had staged a little get-together for me to meet some folks. There were about 40 people there and they were all seniors. Lo and behold, it was about two weeks after the time the former government had announced their nice giveaway to the seniors: the tax rebate. I thought I was falling into a real hornets' nest. I tell you, after about two hours, nobody within that group ever brought up their tax rebate, that if we were to be elected to form the government, they would lose that rebate.

I took the opportunity to test the waters. It was a controlled crowd; it was in my backyard. I said, "You know I appreciate the support you're giving me by being here today, but if you elect me and we form a government, you're not going to get the education rebate on your property taxes." Well, the room went silent. I checked to make sure nobody had a gun, and I must tell you that one person spoke up and said, "You know, I'm really offended that I could not help the future generation, my grandkids and so forth. I'm really, really offended."

*Interjection.*

**Mr Rinaldi:** Is that what you said to your wife?

*Interjection.*

**Mr Rinaldi:** No, it wasn't. My wife is not a senior. I think she'd be offended.

Having said that, about 20 people, one after another, came and said the same thing: "We want to see a better Ontario. We want to see our grandkids have a better education. They're our future." It was really refreshing. All of a sudden it was a different mood.

We talked about the deficiency in health care. I strolled through the fair in Port Hope three or four months ago, and this old lady with a cane came to me and said, "I hope you can do something about the waiting time for hip replacements." She'd been waiting for a year and had just been informed that week that it might be another nine months before she'd be able to make it to a hospital. I hate to say it, but that lady was quite old, and I don't think she could make it for nine months. She'd never be able to walk again before she left this world. That's embarrassing. She's one of our seniors who served our community for years, and she's going to wait two years for a hip replacement. It's a disgrace.

A recent experience in a brand-new hospital that I'm proud to have in my riding—with a \$10-million deficit before it opened the door, I must admit: My son broke a leg three weeks ago. He went into emergency, and at 6 o'clock he still didn't have a cast on his leg. That's a disgrace. He waited five hours to get an X-ray—a brand-new, state-of-the-art hospital and we have to have this waiting.

**Mrs Sandals:** It didn't have enough staff.

**Mr Rinaldi:** It didn't have enough staff, and at 6 o'clock he walked out without a cast on his foot. He had to go back.

I could go on and on. We have to talk about education. One of the things I kept hearing over and over again—I'm going to use my riding because it's what I am more familiar with. I have five schools with an axe over their heads. Because of the funding formula they might be closed. These parents, these children and their grandparents have been waiting. Life has not been very comfortable with the loss of their local schools. I can tell you about one that's less than a kilometre away from where I live, in the hamlet of Smithfield. There's a church and there's a school that hold the little hamlet together. That is rural Ontario. Let me tell you, that school is one of the ones that are supposed to be axed because they do not fit the funding formula. It's not empty, it's 114% occupied, yet it's one of the schools that's slated to be closed. I have four others in rural Ontario.

I met this one parent—they are probably fairly well off, yet they were sending their daughter to university in Nova Scotia because they could not afford tuition in Ontario. They were sending their daughter to Nova Scotia. The next day, I found some parents in the village of Colborne who were sending their son to a university in Quebec because they could not afford Ontario's tuition. Do you know what? Just like most Ontario families who are very high on their values, they wanted to see their son every couple of weeks, so they gave him the second family car. Do you know what? They could not afford insurance for the second family car.

I could go on for hours and hours. We campaigned on the promise that we were going to deliver. I heard today that we flip-flopped. I won't use the word "lie," Madam Chair, but that's what is implied. The people of Ontario, at least in my riding, that I campaigned in, and in debates, knew exactly the platform we were running on. There was no deceit. We were going to take those seniors' tax credits back. We were going to revamp the formula for rural schools. We were going to take away the private school tax. They knew that. There was no secret. So it really bothers me today, these first days in the House, when they keep on saying we're flip-flopping. We were there to deliver a message, and Ontarians responded.

Let me tell you—I believe I knocked on almost every door in Northumberland, not quite all, but quite a few, and it took me about a year to do that—on only two occasions prior to the election, and one was a phone call last Monday, actually, as I was driving down to Toronto. Prior to the election there was only one senior who came to me and said, "You know, I've always voted Liberal, but I won't vote Liberal this time because I will not get my tax credit back."

**Mrs Sandals:** Just one?

**Mr Rinaldi:** One. And somebody called me just this week, knowing that this was going to happen in the House, and said, "You know, you really should not support it, because I'm a senior."

I respect those views. I respect all my constituents' views. But after I explained to them what we're trying to

do and the challenges we're faced with, we had absolutely no problem.

Two people in a riding of about 100,000 people—

**Hon John Gerretsen (Minister of Municipal Affairs, minister responsible for seniors):** And Doug Galt. He'd feel the same way.

**Mr Rinaldi:** Who was that?

**Hon Mr Gerretsen:** He was here 20 years ago.

2120

**Mr Rinaldi:** Oh, OK. Thank you.

*Interjections.*

**Mr Rinaldi:** I try not to remember.

All I'm saying is that we were responsible. We never hid any facts.

I want to touch on something, having been a municipal politician for 11 years. Recently, as mayor of the municipality of Brighton, I was part of a county council in the county of Northumberland. I can tell you about the suffering that we had from the downloading from the previous government.

Let me touch on ambulances. That's something the minister and I are going to have to have some discussion about. I'm sure we're going to talk about it. In the riding of Northumberland, the 50-50 ratio for ambulance delivery costs the county of Northumberland—not the riding, because the riding is bigger than the county—about \$400,000 more a year than what they got from the province, and that's 50-50. Prior to the county accepting ambulance delivery in 2001, the province was delivering it, and we had to pay a 50% share, no questions asked.

So I know what I suffered as mayor of Brighton, and I know what we suffered in the county of Northumberland, the downloaded roads that we had to assume. I have four mayors presently in that riding who worked very hard to get me elected because they want to see changes at Queen's Park. They want the municipality to be responsible, and they want some dignity.

The former government had the nerve prior to the election in The Road Ahead, which drove them right out of town, to call their municipal counterparts not accountable. I can tell you, I spent 11 years in those trenches, and municipal politicians are the most accountable politicians who exist. They had the nerve to ask them to have a referendum before they could deal with their finances. That's a real slap in the face to their counterparts. It's totally unacceptable. So we're here—and we keep on repeating—to deliver what we promised. I'm honoured to be part of such a government today that's able to say that they're going to deliver, and we're going to deliver.

One of the things we heard back after the 1995 election—at that time, we elected Premier Harris because he delivered what he said he was going to deliver. Let me tell you, they worked on the Common Sense Revolution. They forgot the common sense; they delivered a revolution. We said what we're going to deliver, and we're delivering. We started. I'm amazed at how quickly we acted on fiscal responsibility. Our kids and our grandkids are going to suffer, and the sooner we deal with it, the easier it will be.



I keep on referring to my campaign trail, because it was quite an experience. People said over and over again, "You know, we realize today that you get what you pay for." If we don't get more doctors, if we don't get some health clinics, if we don't get our ambulance in order, if we don't get proper schools, that's what we're going to get, and that's exactly what we got. Our waiting times—and this is not something I'm saying; this is something everybody has experienced. The experts have said that our waiting times in hospitals have increased dramatically. We've lost schools; we're in the process of losing some more schools. Kids are very easily influenced at a young age, and if we don't treat them right in those early years, we really miss the boat, because as we move along, they're going to be our future.

We hear today about the teaching profession. I met with a lot of teachers, and I was one of the advocates years ago, in my municipal hat, arguing with school boards. But at least I had someone to sit across the table with and discuss what our needs were, what the deficiencies were, and we were able to resolve it. That democratic process, in the last eight years, has totally gone out the window. I have no idea why we elect trustees any more; absolutely no idea. They have no power whatsoever. We saw what they did with three school boards. As I say, even though I had my disagreements with former school boards—and I did, as a municipal leader; I did have concern, because we were all after the same tax dollars. But we sat across the table from each other, we were able to work out those differences, and at the end of the day we had a better education system than we have today. So as we move along, we need to be able to restore those relationships.

Because education is very close and dear to me, I met with a lot of teachers and I've visited high schools and I visit public schools. All those teachers want is dignity. They want to be recognized in their profession, they want to be able to express their views, and at the end of the day they want respect, respect, respect. Do you know what? If you give those folks respect, they will give respect back. Who is going to win? Our kids are going to win. They're our future. So we need to re-establish that.

From the health care standpoint—and I keep on going back to health care—I'll refer to an activity that's happening in my community right now. We have a 10,000-patient orphan in our community. I'm not talking about the riding; I'm talking about the catchment area where people would go for their services. Absolutely nothing has been done by the previous government to bring more doctors into the area. Hospitals were hamstrung in what they could do. As mayor of the municipality of Brighton, I was able to bring one doctor into our community, because we showed him the real truth about our community, what our communities are like. We were able to work with this doctor. We didn't buy him, as most people would do. So as we went on, we were able to bring in a doctor, and that's being used as a model now in other communities within my riding.

I had to have people in my own community, because they were not getting the assistance for health care to provide doctors, start a foundation. I'm happy to report that within two years they raised over \$1 million. They now have a building. They have a health services centre that already brought in a doctor, before it opens its doors. With the help of the municipality, it's also going to house a YMCA and a diagnostic centre. It was all done by the local community. We worked together as a municipal council with the community. They did not get one red cent from the Minister of Finance of the day. I made three trips to the minister, and the local member didn't even join me on any one of those trips. We never got a call back. We asked the minister at the time to at least come down and help with the fundraiser. The week before, we got a call saying he was too busy; he could not do it. They weren't even asking for money, just help and support, that we were all working together. That has to change.

We need to re-establish that contact with the civil servants as well. I can tell you, I respect their integrity. I was at a function in my riding this summer where I had, as I got to know later on, a well-respected civil servant from one of the ministries. She was new to my community, very new—a summer resident. After a formal function, she found out that I was a candidate for the Liberal Party. The civil servant came over to me afterwards. We had a long chat. She said, "You know, you seem to be a real nice guy. I heard you speak today." We were dealing with a local issue at a public meeting. She said, "I wish you luck, but, you know, you might be sorry after you get elected, because of the mess you're going to find." That was a civil servant.

**Mr Baird:** Our civil servants are too professional. They wouldn't say that.

**Mr Rinaldi:** I can tell you that I've met with civil servants, wearing my hat today, specifically in a couple of ministries where we had some concerns. These people were working under duress. They weren't making decisions. They were told what to say.

**Mr Baird:** No, you make the decisions. Ministers make the decisions.

**Mr Rinaldi:** We make the decisions. Well, I tell you, we hire them to help us make those decisions, to do the research, and that research is totally ignored.

**Mrs Sandals:** We need good information.

**Mr Rinaldi:** We need that information. I respect the civil servants, because they're the people down in the trenches. So we need to listen to them, we need to foster them and we need to encourage them, because if you treat your employees right, you get a good job done.

To close, it has been a real honour to address the House today. I think our government is going in the right direction, and we want to stay in that direction.

**The Acting Speaker:** It being past 9:30 of the clock, this House stands adjourned until tomorrow at 1:30.

*The House adjourned at 2131.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Première session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 26 November 2003**

**Mercredi 26 novembre 2003**

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 26 November 2003

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 26 novembre 2003

*The House met at 1330.*

*Prayers.*

### MEMBERS' STATEMENTS

#### LIBERAL CAMPAIGN PROMISES

**Mr Cameron Jackson (Burlington):** I'd like to welcome five members of my riding from Burlington, members of the Burlington Professional Firefighters Association, in the House with me today. They are here to bear witness to the fact that the Liberals' blame-game deficit does not hold water with Ontario taxpayers, any more than it holds water with the citizens of Burlington. Based on our government's balanced budget plan and what the Premier has promised as part of his fiscal agenda, this Liberal government could run as much as a \$3.5-billion surplus in this fiscal year. All the Premier and the Minister of Finance have to do is start showing up for work and accepting the responsibility entrusted to them by the voters of Ontario.

Someone needs to inform the Premier that he needs to stop acting like an opposition member. He needs to stop whining and stop making excuses about why he is breaking all of his election promises to the people of Ontario. He and his finance minister need to get to work and to get on the job. They were put here to do that work. Of course, it's always easier for a Liberal to break his word to Ontarians than to show up for work and make tough decisions. Perhaps he shouldn't be surprised that the mantra of his new government is excuses, broken promises and tax hikes. Come clean, Mr McGuinty. You could balance the budget for the province of Ontario if you had the political will. It can be done.

#### INTERGOVERNMENTAL RELATIONS

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** I'm very pleased to rise today and share with the members of the Legislature something that's been happening in the riding of Etobicoke-Lakeshore, the wonderful community which I now have the pleasure and privilege of representing. In Etobicoke-Lakeshore, a community which by its very name is obviously on the shores of Lake Ontario, the fall winds off the lake have blown in as winds of change and have brought with them a new era of co-operation between all levels of government.

I am pleased to report to this House, but most importantly to the community of Etobicoke-Lakeshore, that the desire which you have expressed over the past number of years, and in particular during the most recent election campaign, that all levels of government should work together in co-operation and common purpose on issues that matter to our community—whether that is strengthening our city, developing a more and better integrated transit system, tackling gridlock, protecting our waterfront, ensuring safety in our community, or working toward enhanced economic prosperity and development—have been heeded. The Honourable Jean Augustine, your federal representative, and our city councillors, Mark Grimes in Ward 6 and Peter Milczyn in Ward 5, and I are already working together to tackle these challenges and to better serve our community so that living, working and learning in Etobicoke-Lakeshore will truly be the best that it can be.

#### LIBERAL CAMPAIGN PROMISES

**Mr Norm Miller (Parry Sound-Muskoka):** I was shocked this past week when I heard comments from the Minister of Municipal Affairs. When asked why this government was breaking yet another one of their campaign promises, he responded, "Perhaps we were too naïve." For the Liberal government to simply plead ignorance as an excuse for not living up to lofty promises is simply unacceptable.

Let's look for a minute at the Liberal promise to balance the provincial budget. One of Mr McGuinty's first actions after being elected was to hire a private consultant with limited terms of reference at a cost of \$1,500 a day in order to try to convince Ontarians that balancing the 2003-04 budget could not be done. One has to ask if that money could have been better spent elsewhere.

Mr McGuinty's blame-game deficit does not hold water with Ontario taxpayers. Based on our government's balanced budget plan and what the Premier has promised as part of his fiscal agenda, the Liberal government could balance the budget. All the Premier and Minister of Finance have to do is start to show up for work and start to accept the responsibility entrusted to them by the voters of Ontario.

Come clean, Mr McGuinty. You could balance the budget if you had the political will to do so. It can be done.



## FESTIVAL OF TREES

**Mr Jeff Leal (Peterborough):** To illustrate the kind of community I represent, I'd like to share with you an annual event that gets Peterborough residents in the Christmas spirit. The Festival of Trees, now in its 13th year, is a major fundraiser for local health care. Beginning last night with the opening gala, this event runs until Sunday. With the input of thousands of volunteer hours, the festival transforms the Peterborough Memorial Centre Arena, the home of the Peterborough Petes, into a winter wonderland that is accessible to people of all incomes and ages. Local individuals, agencies and businesses decorate trees that are later raffled or auctioned off. The festival also includes music and performing arts.

Other fundraisers within the festival include a hockey game, fashion show, and the sale of limited edition teddy bears, cookbooks and calendars.

Last year alone, the festival raised \$228,000 for the Peterborough Regional Health Care Centre Foundation, St Joseph's Care Foundation and Hospice Peterborough.

I wish this festival the best of luck in their fundraising efforts in the riding of Peterborough.

## GOVERNMENT'S RECORD

**Mr Ernie Hardeman (Oxford):** I rise today in order to address this government's unwillingness to face the facts and its blatant refusal to do any work on behalf of Ontarians.

I want to quote to you an excerpt from the Toronto Star. "We have until Christmas to demonize the Tories. After that, we can't do it any more." That was a statement made by a Liberal insider to the press. I would like to submit to you, Mr Speaker, that since this government has taken office, that has been its primary goal: to demonize the former government.

We know the budget can be balanced, but the Liberal government won't admit that. Their blame-game deficit provides a convenient excuse to break their promises and hike taxes. Balancing the budget takes commitment and the political will to make tough decisions, two traits this government appears to be lacking.

I submit to you that the actions of this government have been nothing more than a cynical ploy to attempt to demonize the past administration. Someone needs to inform the Premier that he needs to stop acting like an opposition member. He needs to stop whining and making excuses for why he is breaking all his promises. He and his finance minister need to get to work to do the job that they were put here to do and to get to work for the people of Ontario.

Balance the budget, Mr Premier. It can be done.

1340

## EID-UL-FITR

**Mr Shafiq Qadri (Etobicoke North):** Speaker, and my honourable fellow parliamentarians, I think it's a

mark of a civilized society and the ever-expanding spectrum of inclusivity that I am able to say the following. Islam enjoys its major celebration, the festival of Eid, which is the celebration commemorating the end of the month of fasting, the month of Ramadan.

I am honoured to share with the House my thoughts on Eid, particularly in light of the fact that this is the first time in the history of this Legislature that Muslims have been elected in the province of Ontario.

My fellow parliamentarians, Speaker, it is my privilege to celebrate this glorious occasion because it continues the Canadian tradition of multiculturalism and demonstrates the attitude of openness. This allows representatives of all religions and creeds to contribute to a community that leads the way for the rest of the world to follow in our tradition of tolerance, mutual harmony, respect and understanding. That is the ideal of the Canadian and the Liberal mosaic.

## FIREFIGHTERS

**Mr Garfield Dunlop (Simcoe North):** On behalf of the Progressive Conservative caucus, I rise today to welcome the Ontario Professional Fire Fighters Association to the Legislature of Ontario. I know that you've been very busy today meeting with MPPs across Queen's Park to make them aware of your issues. As the opposition critic for the community safety and correctional services, I was particularly pleased to participate in this process.

Firefighting is a noble profession that needs no introduction. Ontarians know and appreciate what firefighters do each and every day in the name of community safety. That's why I was shocked and appalled by the fact that the word "firefighter" was not even mentioned in the Liberal government's recent throne speech. The fact that firefighters, and police officers, were totally ignored in the throne speech sends a clear message to the people of Ontario that law and order is not a priority for the Liberals.

In a letter to Fred LeBlanc, president of the Ontario Professional Fire Fighters Association, Dalton McGuinty personally makes four key promises to this organization. I should point out that this letter was dated May 23, 2003—before the election—and is not included in the 230 or 240 promises he made during the writ.

As critic, it is my job to make sure the Premier keeps his promises to firefighters. Based on his performance to date, I'm really not holding my breath. Surely Dalton McGuinty, captain and CEO of the Liberal promise-breakers club, will keep his promise to the Ontario Professional Fire Fighters Association and be spared the embarrassment of yet another series of shameful broken promises.

**Mr Tim Peterson (Mississauga South):** I would like to join the member from Simcoe North in welcoming to Queen's Park the Ontario Professional Fire Fighters Association.

Today, as many of you know, is lobby day for the association, and many of the members in my caucus have had the privilege of meeting and speaking with their representatives today. Those of us who have not had the opportunity look forward to speaking with them and listening to their concerns. We value their input and insight into some of the issues concerning all of our safety in the province of Ontario.

I would like to say on behalf of all the members in the Legislature that we sincerely appreciate the work these men and women do to keep our communities safe. Our firefighters are often the first to come to our aid in the event of tragedy, often at the risk of their own lives, and they deserve our recognition and respect. Now more than ever, their efforts and sacrifice are vital to our safety and well-being.

As many of you know, several firefighters have fallen in the line of duty in Ontario. We are eternally grateful for their sacrifice.

### LIBERAL CAMPAIGN PROMISES

**Mr Tim Hudak (Erie-Lincoln):** I want to take a moment today to congratulate the Minister of Energy, Dwight Duncan, on being inducted as the first, the inaugural, member of the Dalton McGuinty promise-breakers club, for zapping the Liberal campaign promise to keep the cap on Hydro prices. Congratulations to the Minister of Energy.

Never fear, others members of the Liberal benches: Nominations are now open for the next inductee into the Dalton McGuinty promise-breakers club. No doubt competition is fierce, with a flood of flip-flops from the government benches, and the number of worthy promise-breakers is very high. Obviously, the campaign is well under way. Fast out of the gates is the municipal affairs minister, Mr Gerretsen, with his Oak Ridges moraine flip-flop; Mr Smitherman, with his P3 hospitals promise-breaking, number 114, is a worthy candidate; and Mr Sorbara, with his double gainer of increasing taxes and running a deficit, could be a very worthy inductee into the promise-breakers club.

Whether it's one of the above or any other nominees, I'm going to ask the members to fill out the nomination papers, which I'll ask a page to distribute. Members of the Legislature can nominate somebody, members watching at home can nominate somebody, the audience at home, or members of the press gallery. Very soon we'll nominate our second inductee to the Dalton McGuinty promise-breakers club. I'd like to seek unanimous consent to give Dwight Duncan 30 seconds for an acceptance speech for being the inaugural member into the Dalton McGuinty promise-breakers club.

**The Speaker (Hon Alvin Curling):** Member for Niagara Centre.

**Mr Peter Kormos (Niagara Centre):** I rise today to herald a historic new beginning in the province of Ontario, the birth of a new political party, the Fiberals. Ontario, meet your Fiberals. Led by broken-promise Premier

Dalton McGuinty, the Fiberals are a gang of power-hungry MPPs who make big promises before an election and then break them all afterwards. The Fiberals are masters of their craft. Already, the Fiberals have broken promises to protect the Oak Ridges moraine, scrap private hospitals, hold a meat scandal public inquiry and cap Hydro rates until 2006.

But the Fiberals ain't done yet. Today, the Fiberals are going to renege on another one of their so-called ironclad commitments: lowering auto insurance rates. Before the election, Fiberal McGuinty promised to lower auto insurance rates by 10% to 20%. Try telling this to Brian Holland, a good driver from Ottawa. His rates have gone up by 13% since the Fiberal rate freeze. He says, "I feel like I was ... to by the Premier." That's what he said. "I feel like I was ... to by the Premier."

Fiberals, when are you going to learn what Premier after Premier has learned the hard way: that private auto insurance is highway robbery? If you want to tame auto insurance rates, there's only one solution: public auto insurance that delivers the lowest and fairest rates. I say to you, we should be grateful that our professional firefighters are here, because the Fiberals' pants could catch on fire as we sit.

**The Speaker:** Order. I know it's sort of challenging for everyone here at this early time, when we start our session, to refer to members by their ridings more than by their names. I myself have that challenge, but you have much more time to consult, for your speeches, about the members and their ridings. I would ask you to adhere to that and call members by their ridings.

### VISITORS

**The Speaker (Hon Alvin Curling):** I also ask your indulgence today, although it's not a practice that I want to do as the Speaker, for the members to recognize and welcome the civic classes of Henry Kelsey Senior Public School, sitting in both the east and west galleries, and their teacher, Lawrence Dawkins.

### INTRODUCTION OF BILLS

#### AUTOMOBILE INSURANCE RATE STABILIZATION ACT, 2003

#### LOI DE 2003 SUR LA STABILISATION DES TAUX D'ASSURANCE-AUTOMOBILE

Mr Sorbara moved first reading of the following bill:

Bill 5, An Act to temporarily freeze automobile insurance rates for private passenger vehicles and to provide for the review and regulation of risk classification systems and automobile insurance rates for private passenger vehicles / Projet de loi 5, Loi visant à geler temporairement les taux d'assurance-automobile dans les cas des voitures de tourisme et à prévoir l'examen et la



réglementation des systèmes de classement des risques et des taux d'assurance-automobile les concernant.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

Those against?

I think the ayes have it.

Call in the members. There will be a five-minute bell.

*The division bells rang from 1351 to 1356.*

**The Speaker:** All those in favour, please rise one at a time.

#### Ayes

Agostino, Dominic	Duncan, Dwight	Peters, Steve
Bartolucci, Rick	Flynn, Kevin Daniel	Peterson, Tim
Berardinetti, Lorenzo	Fonseca, Peter	Phillips, Gerry
Bountrogianni, Marie	Gravelle, Michael	Qaadri, Shafiq
Bradley, James J.	Hoy, Pat	Ramal, Khalil
Broten, Laurel C.	Jeffrey, Linda	Ramsay, David
Brown, Michael A.	Kennedy, Gerard	Rinaldi, Lou
Brownell, Jim	Kular, Kuldip	Sandals, Liz
Bryant, Michael	Kwinter, Monte	Sergio, Mario
Cansfield, Donna H.	Leal, Jeff	Smith, Monique
Caplan, David	Levac, Dave	Smitherman, George
Chambers, Mary Anne V.	Marsales, Judy	Sorbara, Gregory S.
Colle, Mike	Matthews, Deborah	Takhar, Harinder S.
Cordiano, Joseph	Mauro, Bill	Van Bommel, Maria
Delaney, Bob	Meilleur, Madeleine	Watson, Jim
Dhillon, Vic	Milloy, John	Wilkinson, John
Di Cocco, Caroline	Mitchell, Carol	Wong, Tony C.
Dombrowsky, Leona	Mossop, Jennifer F.	Wynne, Kathleen O.
Duguid, Brad	Oraziotti, David	Zimmer, David

**The Speaker:** All those against, please rise one at a time so your names can be recorded.

#### Nays

Arnott, Ted	Hudak, Tim	O'Toole, John
Baird, John R.	Jackson, Cameron	Ouellette, Jerry J.
Bisson, Gilles	Klees, Frank	Prue, Michael
Churley, Marilyn	Kormos, Peter	Runciman, Robert W.
Dunlop, Garfield	Marchese, Rosario	Scott, Laurie
Eves, Ernie	Martel, Shelley	Wilson, Jim
Flaherty, Jim	Martiniuk, Gerry	Witmer, Elizabeth
Hampton, Howard	Miller, Norm	Yakabuski, John
Hardeman, Ernie	Munro, Julia	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 57; the nays are 26.

**The Speaker:** The motion has been carried.

**Hon Gregory S. Sorbara (Minister of Finance):** I'll make a statement during ministers' statements.

### LABOUR RELATIONS AMENDMENT ACT (REPLACEMENT WORKERS), 2003 LOI DE 2003 MODIFIANT LA LOI SUR LES RELATIONS DE TRAVAIL (TRAVAILLEURS SUPPLÉANTS)

Mr Kormos moved first reading of the following bill:

Bill 6, An Act to amend the Labour Relations Act, 1995 / Projet de loi 6, Loi modifiant la Loi de 1995 sur les relations de travail.

**The Speaker (Hon Alvin Curling):** Is it the favour of the House that the motion carry? Carried.

**Mr Peter Kormos (Niagara Centre):** I'm proud to introduce this bill once again. The purpose of the bill is to restore the provisions that were incorporated into the Labour Relations Act by the Labour Relations and Employment Statute Law Amendment Act, 1992, and subsequently repealed by the Conservatives and Liberals by the Labour Relations Act, 1995.

The purpose of the provisions—and they're especially significant today, when our sisters and brothers and friends from labour visited us here at Queen's Park this afternoon—being restored is to prevent an employer from replacing striking or locked-out employees with vile scabs, scum of the earth, otherwise known as replacement workers. The bill, however, does allow scabs to be used in rare and exceptional emergencies.

## MOTIONS

### HOUSE SITTINGS

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I move government notice of motion number 4: That pursuant to standing order 9(c)(ii), the House shall meet from 6:45 pm till midnight on the weeks of December 1, 8 and 15, 2003, for the purpose of considering government business.

**The Speaker (Hon Alvin Curling):** Is it the wish of the House that the motion carry?

All those in favour, say "aye."

Those against, say "nay."

I think the ayes have got it.

Call in the members. There will be a five-minute bell.

*The division bells rang from 1404 to 1409.*

**The Speaker:** All those in favour of the motion, please rise so you can be counted by the Clerk.

#### Ayes

Agostino, Dominic	Flynn, Kevin Daniel	Ouellette, Jerry J.
Arnott, Ted	Fonseca, Peter	Peters, Steve
Baird, John R.	Gravelle, Michael	Phillips, Gerry
Bartolucci, Rick	Hardeman, Ernie	Qaadri, Shafiq
Berardinetti, Lorenzo	Hoy, Pat	Ramsay, David
Bountrogianni, Marie	Hudak, Tim	Rinaldi, Lou
Bradley, James J.	Jackson, Cameron	Runciman, Robert W.
Broten, Laurel C.	Jeffrey, Linda	Sandals, Liz
Brown, Michael A.	Kennedy, Gerard	Scott, Laurie
Brownell, Jim	Klees, Frank	Sergio, Mario
Bryant, Michael	Kular, Kuldip	Smith, Monique
Cansfield, Donna H.	Kwinter, Monte	Smitherman, George
Caplan, David	Leal, Jeff	Sorbara, Gregory S.
Chambers, Mary Anne V.	Levac, Dave	Takhar, Harinder S.
Colle, Mike	Marsales, Judy	Van Bommel, Maria
Cordiano, Joseph	Martiniuk, Gerry	Watson, Jim
Delaney, Bob	Matthews, Deborah	Wilkinson, John
Dhillon, Vic	Mauro, Bill	Wilson, Jim
Di Cocco, Caroline	McMeekin, Ted	Witmer, Elizabeth
Dombrowsky, Leona	Meilleur, Madeleine	Wong, Tony C.
Duguid, Brad	Milloy, John	Wynne, Kathleen O.
Duncan, Dwight	Mitchell, Carol	Yakabuski, John
Dunlop, Garfield	Mossop, Jennifer F.	Zimmer, David
Eves, Ernie	Munro, Julia	
Flaherty, Jim	O'Toole, John	

**The Speaker:** All those against, please rise.

**Nays**

Bisson, Gilles  
Churley, Marilyn  
Hampton, Howard

Kormos, Peter  
Marchese, Rosario  
Martel, Shelley

Prue, Michael

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 73; the nays are 7.

**The Speaker:** I declare the motion carried.

**STATEMENTS BY THE MINISTRY  
AND RESPONSES**

**AUTOMOBILE INSURANCE**

**Hon Gregory S. Sorbara (Minister of Finance):** With the introduction of the Automobile Insurance Rate Stabilization Act, 2003, the McGuinty government is keeping yet another one of its commitments; that is, to lower automobile insurance rates.

*Applause.*

**Interjection:** Well done, Gregory.

**Hon Mr Sorbara:** Thank you.

We are doing what we promised Ontarians we would do: acting responsibly, protecting consumers while ensuring the long-term viability of the system.

Automobile insurance rates have been skyrocketing, more than 20% in the last year alone. For a product that people have no choice about buying, that simply isn't fair.

This past summer, our caucus members, including the now Premier, Dalton McGuinty, visited 17 communities on our Lower Rates for a Change consultation tour. We heard a common theme: Automobile insurance rates are too high, and drivers desperately need rate relief. We acted almost immediately. As the first order of business, on the day of our swearing-in, the Premier directed me to take all necessary steps to stop insurance companies from filing for automobile insurance rate increases. We acted swiftly to address rising auto insurance rates by making sure the automobile insurance companies did not continue filing for rate increases. Now we are determined to move forward and deal with escalating costs in the industry in a fair and responsible way.

Today's bill, if passed, would freeze auto insurance rates for private passenger vehicles until January 23, 2004, at the rates that were approved on or before October 23, the day we were sworn in. As I will explain, after January 23 it is our intention that new filings will be for rates that are lower, not higher.

In the meantime, to protect consumers we have introduced serious deterrents for insurers that fail to comply with the bill. For example, if the bill is passed and an insurer charges a higher premium than allowed, it could face stiff penalties, including prosecution or having its licence suspended or cancelled under the Insurance Act.

I'd like to clear up a little bit of confusion that has surrounded this freeze. At our request, insurance companies haven't raised their rates since October 23, and yet some drivers are still facing increases. Consumers should be aware that the rate increases approved prior to October 23 have not yet been fully reflected by insurance companies in policy renewals. So, depending on when drivers renew their policies, they may be experiencing increases due to rate hikes approved before October 23, prior to this government's swearing-in.

This legislation is an important first step in our commitment to do what Ontario consumers have asked us to do: lower auto insurance rates. The trend of higher rates is the legacy of the previous government. My friends opposite failed to act as insurance rates skyrocketed, and consumers have suffered the results over a number of years.

We're not going to make the same mistake. We are committed to protecting consumers and to bringing real, positive change to Ontario's auto insurance rate system. We are committed to reducing out-of-control costs and making sure that the cost savings are passed on to consumers in the form of lower premiums. We are committed, in other words, to doing the job we were elected to do and to doing it responsibly, fairly and well.

Our reforms must look to the long term as well as the short term. Insurance premiums have been rising out of control for years and bringing them completely under control is going to take a little time. While protecting consumers, we must also ensure that Ontario continues to have a competitive and healthy auto insurance marketplace.

In the next stage of our reforms, we will introduce measures to lower rates even further. We will allow consumers to save more by allowing them to customize their insurance coverage to best meet their individual needs.

I think it's safe to say that few topics engage the public's interest more than automobile insurance. Consumers, members of the insurance industry, the legal profession and health care providers all have views on auto insurance that are often compelling, and just as often conflicting. The challenge for us is to listen carefully to these views and then to implement policies that we believe are in the best interests of Ontario drivers.

That's why I have asked my parliamentary assistant, MPP for Eglinton-Lawrence, Mike Colle, to meet with a cross-section of groups that represents consumers, health professionals, lawyers, the auto industry, brokers and others during the period that rates are frozen. We're working with all these groups to find the best way to achieve savings that will bring—

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order.

**Hon Mr Sorbara:** Thank you, sir. I don't think they want to listen, but I appreciate your attempts.

We're working with all these groups to find the best way to achieve savings that will bring auto insurance



rates down by an average of 10%. Drivers have been paying too much for far too long.

We're going to implement system-wide changes that will lower costs for insurance companies and allow them to lower rates after January 23. Again, our target is an average reduction of 10%.

1420

We will succeed if we work together. We are doing what needs to be done. We are acting. We will continue to act quickly and decisively.

More than eight million motorists in Ontario are counting on their government to keep its commitments and deliver lower rates. We're going to do just that.

We will ensure that Ontario drivers have access to competitive, affordable and available automobile insurance. We are taking a responsible approach to protecting Ontario motorists.

**Mr John R. Baird (Nepean-Carleton):** Another day, another broken Liberal promise. This bill is nothing more than a reannouncement of a press conference that Dalton McGuinty had last month. The Liberal Party said one thing before the election when they were looking for votes and they are doing quite another now that they've been elected. They were very, very clear when they were on this side of the House. It was simple, they had all the answers and they would move quickly to implement those changes.

In their policy paper *Lower Rates, for a Change*, the key word was "change," and the policy has changed. On page 1 it's very clear. It talks about a 20% reduction for Ontario motorists. That is the really outrageous part of today's announcement. With the bill brought forward by this minister and this government, rates will go down by nothing. Auto insurance rates around Ontario have gone up by an average of 20%, and this minister and this government think that's acceptable. This minister and this government are going to legislate a freeze. We think these auto rates should go down. In this province they should go down. Ontario motorists deserve better than a nothing response from a nothing government.

*Interjection.*

**The Speaker:** Minister of Finance, could you just come to order, please.

**Mr Baird:** Thank you very much, Mr Speaker.

Not only did the Liberal Party have all the answers when they sat on this side of the House, but the minister in his statement bragged about the fact that Dalton McGuinty had visited 17 communities and canvassed widely, and had all the answers. Now we see that the Minister of Finance comes here with a no-rate-reduction policy, with vague promises of more consultation and more listening tours.

Even with this dog-and-pony show that the member for Eglinton-Lawrence will be going on, they're only looking to consider a rate reduction of 10%. After rates have jumped 20%, they want to freeze them and now reduce them by 20%.

Let's look at the facts. On July 22—followed up the next month—this former government came forward with

some clear policies to reduce \$1.4 billion in costs, with a clear set of regulations to force insurance companies to forward those savings on to the taxpayer. The sad reality of the debate today is, had this government not been so partisan and petty, they could have adopted the policies and regulations brought in by the former government, and rate relief would be the law of the land today in Ontario. That is the really outrageous part of it.

The Liberal document talks about a \$650-million rate reduction. We came forward with more than \$1.4 billion in strategies on an \$8-billion or \$9-billion industry to see rate relief a reality today.

*Interjections.*

**The Speaker:** Do come to order, please.

**Mr Baird:** Mr Speaker, I'm obviously getting under their skin because they've broken yet another promise.

Let's be clear, Minister. Today Dalton McGuinty is committing highway robbery and you, sir, are driving the getaway car. Ontarians won't buy this Orwellian double-speak. They see this exactly as it is. They see this as another broken promise from another Liberal government and they won't be fooled.

**Mr Jim Flaherty (Whitby-Ajax):** This corruption of the English language: The Minister of Finance says that his commitment is to lower auto insurance.

*Interjections.*

**The Speaker:** One of the things I very much expect from the ministers who are giving statements—I want to hear the response. I think the common decency is to let us hear the response and stop shouting across. It's making life difficult for me and, furthermore, I can't hear.

The member for Whitby-Ajax, I think there's a minute and three seconds on the clock, so put it back.

**Mr Flaherty:** Thank you, Speaker.

The Minister of Finance acknowledges in his statement to the House that the commitment is to lower auto insurance rates, for a change. This bill not only fails to lower auto insurance rates, it purports to freeze auto insurance rates, but the people of Ontario will clearly understand the difference between lowering and freezing.

More than that, it fails to allow the superintendent of insurance—in fact, it prohibits the superintendent of insurance from approving the applications for rate reductions that were filed September 30. Those rate reductions were filed pursuant to the reforms led by the Ernie Eves government. They would have provided at least a 10% rate reduction for motorists across Ontario. So not only is the promise being broken, the net effect of what is being done here is to deny motorists in Ontario an immediate 10% rate reduction.

More than that, the commitment was to reduce rates across the province. This bill only applies to private automobiles. It excludes school buses, it excludes small business, it excludes commercial carriers in Ontario, all of whom want—

**The Speaker:** Thank you. Order.

**Mr Peter Kormos (Niagara Centre):** I'm seeking unanimous consent to respond for up to five minutes on

behalf of the seven New Democratic Party members of this Legislature.

**The Speaker:** Is there unanimous consent from the House? Agreed.

**Mr Kormos:** Thank you kindly, Speaker. I suppose the only thing that's surprising about this is that a veteran like the minister would present it, because I recall him as having been here in the period from 1987 through 1990, and the embarrassment of him and his colleagues, in fact the pratfall they suffered after one David Peterson, during a political campaign, said that he had a very specific plan to lower automobile insurance premiums.

I happen to have been here as well, and that very specific plan to lower automobile insurance generated the fiasco of no-fault here in Ontario, which has punished innocent accident victims ever since and in fact resulted in higher premium rates, resulted in an incredible, magnificent, huge, perverse population of the Facility Association to the point where Facility Association became profitable and profit-making for the auto insurance industry here in Ontario.

I suppose if I were to ask a question, the question to the minister would be, was he actually sitting on George Cooke's lap while he took the dictation to write this legislation on behalf of the insurance industry? Or indeed was it Mark Yakabuski, of the Insurance Bureau of Canada, who played Edgar Bergen to your Charlie McCarthy?

This doesn't reduce premiums. It doesn't freeze premiums. This is like your freeze of tuition rates when they're already sky-high and well beyond the affordability of any student. You froze tuition rates after they'd become unaffordable for working-class children and young people with modest incomes, or even middle incomes. Now you freeze insurance premiums after they've skyrocketed through the roof.

1430

Take a look at section 6. This is the Mack truck loophole; this is the Caterpillar tractor loophole; this is the Boeing 707 loophole; this the black hole loophole. We need nuclear physicists to tell us the magnitude and size of the section 6 loophole, you guys. That's the one that lets the insurance industry apply for extraordinary increases on the basis of the exceptional financial circumstances of that industry. They've had exceptional financial circumstances, according to them, for all of my 51 years. I can't remember a time in my life where the auto insurance industry hasn't cried and declared that it was but a hair away from bankruptcy and devastation.

It talks about the public interest in the approval of a rate. Friends, let me tell you what's going to happen, because I've seen it before. For 15 years I've watched governments of all political stripes try to wrestle the private for-profit auto insurance industry to the ground. I tell you, no government, neither Liberal nor NDP nor Conservative, has ever been able to regulate this industry. The private auto insurance industry is an insatiable beast whose appetite cannot be satisfied. It is a monster that can't be caged. It's a mad dog that cannot be leashed. It

will make profits on the backs of drivers; it will make profits on the backs of innocent accident victims, regardless of this government's rather feckless declarations about its intention to freeze rates. What you're going to create is a huge vacuum, because the industry simply won't write policies when you freeze rates at a level that they consider inappropriate to be sufficiently profitable. You're going to generate a crisis in insurance availability, just like your counterparts in eastern Canada are experiencing now.

Two major insurance companies in eastern Canada have simply announced that they're no longer going to write policies, because they are not happy with the premium levels that those respective governments have established. You're going to create a crisis in insurance availability. You've already sustained, you've reinforced the crisis of affordability, because you froze rates at a sky-high level, as well as creating the Boeing 707 loophole enabling those companies, even at sky-high levels—do you understand what I'm saying, firefighters?—enabling those profit-making, for-profit auto insurance companies—look, the industry has short arms and deep pockets. That industry has never been a friend of consumers, it's never been a friend of drivers, it's never been a friend of innocent accident victims. Highway robbery? Darned right. The problem is, the getaway car isn't insured, because what we're going to witness is an increase beyond the 10% to 20% of motor vehicles on our highways who aren't insured.

The solution: Get with it. Liberals in other parts of Canada understand; the Consumer Association of Canada understands; western provinces know it: public auto insurance. Fair and affordable rates guarantee that every car is insured.

**The Speaker:** Let me just warn the members that you direct your comments to the Speaker or to the Chair. I don't want gallery participation in this. Mr Kormos specifically, the member for Niagara Centre, I want you to direct your comments here so that we can have some sort of control.

**Mr Kormos:** I apologize, Speaker, and I thank you for your direction.

#### AIDS AWARENESS WEEK

**Hon George Smitherman (Minister of Health and Long-Term Care):** Mr Speaker, I gather that there may be unanimous consent to allow all parties present in the House to make a statement with respect to National AIDS Awareness Week for five minutes.

**The Speaker (Hon Alvin Curling):** Do I have unanimous consent for AIDS week? Agreed.

**Hon Mr Smitherman:** I stand here before the House to draw your attention to National AIDS Awareness Week, which concludes on December 1 with World AIDS Day. This Canada-wide week of awareness and the concluding international day of recognition have become annual events. Their continuing existence highlights the tragic reality that AIDS is all too much a presence in the



lives of so many people, here at our Legislature, across our province, across our country and around the world.

Worldwide, five people lose their lives to AIDS every minute of every day. In the next half-hour, the same number of people who hold seats in this Legislature will die from AIDS, and by the end of today three more people in Ontario will be diagnosed with HIV and five more people will become infected.

HIV has hit every part of the globe, infecting 34 million to 46 million women, children and men, five million of them last year alone. Right now in Ontario, there are more than 21,000 people living with HIV.

I want to pay tribute to all who have struggled with the challenges of HIV, both those who are living with HIV or AIDS and those countless people—men, women and children—who have lost their lives to this devastating disease, and that includes the more than 7,000 people in Ontario who have died from AIDS-related causes.

AIDS Awareness Week and World AIDS Day give us the opportunity to affirm our support for people living with HIV and AIDS, their families and their communities. These events also give us an opportunity to thank service providers who have responded to HIV and AIDS with such skill and compassion. The AIDS community in Ontario has worked tirelessly to develop treatments that put the patient at the centre of his or her care.

I commend those who are living with HIV and AIDS for their courage in battling this devastating disease. I commend their caregivers, I commend those who volunteer their time in the cause of AIDS and I commend our front-line health care workers and researchers. I commend all of those who work so hard to improve the quality of life for people living with AIDS, who work so hard to find new treatments and who also work so hard to find new responses to prevention challenges.

People need to know the facts. People need to get the message about AIDS. We can't allow a false sense of security to lull people into thinking that AIDS has been overcome.

In Ontario, HIV continues to be an illness that affects most, if not all, communities. We will work to prevent the spread of HIV and AIDS and to preserve the lives of those living with HIV and AIDS.

All of us know that while medications have extended the lives of people living with HIV and AIDS, we must confront the reality that the side-effects are debilitating and that the drugs are far from a cure. The only cure we can depend on is prevention.

In the fight against HIV, we are facing new battles, rising rates of infection and ongoing discrimination and judgments. That's why we need to develop long-term strategies that acknowledge the broad social context of HIV.

The Ministry of Health and Long-Term Care will spend almost \$50 million in 2003-04 for HIV/AIDS-related programs across our province. As health minister, I'm committed to making sure these programs build on Ontario's leadership established in the 1980s and continued ever since.

The numbers in the world demonstrate that AIDS is a growing pandemic, and Ontario is part of that struggle. As legislators, we can take pride in the work we've done over the years, but we need to recommit; we need to support the kind of education that makes society understand that while treatment has improved, AIDS is still a tremendous risk.

HIV transmission is a reminder of society's failures. We can measure ourselves by how we choose to respond. One hundred years from now, I want the history books to show that Ontario responded to the needs of its citizens and communities with the vigour necessary to stop the world's worst pandemic.

I'm proud of the strong and effective continuing response to HIV and AIDS in Ontario, as well as the many partnerships between government and a diverse range of communities and stakeholders.

We will continue to work with the more than 60 community-based AIDS services and the 37 boards of health to help people with this disease and to make sure that people are aware of how to keep themselves safe from HIV and AIDS.

I'm working with the Ontario Advisory Committee on HIV/AIDS and receiving its advice. The community has been tireless in its efforts to ensure effective responses to the challenges posed by HIV and AIDS here in Ontario. I'd like to thank the two co-chairs, Dr Don Kilby and Mr John Plater, for their leadership and commitment.

I'm proud of the outstanding achievements of the Ontario HIV community. Many of these people are my friends. They are people living with HIV and AIDS. They are health providers, researchers, clinicians and community workers throughout this province.

By continuing to work together, we can put people living with HIV at the centre of their own care and treatment and further improve the quality of their lives. By working together, we can eliminate the stigma and discrimination that is still part of this global pandemic. By continuing to work together, we can look forward to a future where AIDS Awareness Week and World AIDS Day are no longer necessary.

1440

**The Speaker:** The minister had requested a five-minute response to these, but he also said all parties, and I hope he included everyone within the House.

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** I rise today to recognize on behalf of our party HIV/AIDS Awareness Week, which the minister has said concludes with World AIDS Day. This year the week is entitled Stigma and Discrimination.

More than 40 million people are living with AIDS/HIV worldwide. As we know, this number unfortunately continues to escalate. The disease knows no boundaries. In fact, there are approximately 50,000 Canadians currently who are living with HIV/AIDS and there are 15,000 Canadians who are totally unaware that they are infected. This is going to increase, with about 4,200 new infections each year. That's why it is so very important that we recognize World AIDS Day and HIV/AIDS

Awareness Week. It is our opportunity to express our affirmation and our support for people who live with HIV. It is also an important opportunity for us to demonstrate our support for the doctors, nurses and all the other health care providers throughout Ontario who respond to HIV/AIDS with skill, compassion and dedication. It is also an opportunity to enhance tolerance and understanding, while communicating prevention information about this epidemic.

Throughout past years, governments have demonstrated and tried to do what they could to focus on health promotion and disease prevention. This needs to continue to be at the top of any government's health care plan. There needs to be collaboration with the 37 boards of health, as there has been. There needs to be collaboration with school boards throughout Ontario in order to provide students information and education about HIV/AIDS. We've seen that happening. We've seen that Ontario HIV diagnostic testing ensures that a very high standard of testing is maintained.

However, if we take a look at all that has happened thus far, I think we also recognize there's so much more that still needs to be done. We must be unrelenting in our fight to stop this disease from spreading. We must continue to encourage people to join the battle, taking responsibility not only for their own health but the health of their relatives, the health of their family and the health of their friends.

I want to at this time express my appreciation, and the appreciation of those of us on this side of the House, for all those people throughout Ontario who work tirelessly every day to educate, to treat and to support those people who are living with HIV/AIDS. Certainly, on behalf of all Ontarians we do owe them a great deal. I want to particularly acknowledge the work of the individuals who are involved with the Ontario Advisory Committee on HIV/AIDS. As a former Minister of Health, I know how I relied on their advice to move us forward. Again, I also want to thank Dr Don Kilby and Mr John Plater. I want to thank all the individuals, all the volunteers throughout the province of Ontario who are working so hard in their individual communities to try to educate and try to support those with HIV/AIDS. We really do appreciate the many hours of hard work and dedication that they put into this cause.

As a society we must be ever vigilant in our efforts as we continue to work to eliminate the AIDS epidemic. We must continue to fight prejudice whether we see it in our workplace or in the schoolyard. We must continue to educate our families and our neighbours about the devastating effect this disease can have. We must continue to offer our personal assistance and our support to our fellow Ontarians who are suffering. I believe that if we continue to work together, whether we are young or old, we can hope someday to eliminate the barriers that stand between us and a cure for AIDS.

**Ms Shelley Martel (Nickel Belt):** I rise today to speak on behalf of the NDP caucus, not with any pleasure but out of grim reality, because on this day in par-

ticular—and frankly, every day in general—we need to be sure that we are responding effectively, appropriately and in a timely fashion to HIV/AIDS. UN AIDS, the United Nations agency that is charged with combating the spread of AIDS, reports that there are 42 million HIV-positive people worldwide. There will be five million new infections around the world this year, and 800,000 of them will be children. Some 3.1 million people will die.

Here in Canada, every day another six people under the age of 25 are infected, and despite increased public awareness, HIV/AIDS infection rates have remained steady.

Today there are about 50,000 Canadians who are living with HIV or AIDS. HIV/AIDS has touched all of us in all our communities, and for many of us it has touched our families and our friends. Communities across the province have rallied, they've marched, they've campaigned to increase awareness and build support for government funding around HIV/AIDS prevention programs.

On an international level, people like Stephen Lewis are very publicly raising the plight of AIDS sufferers in developing countries and they are bringing pressure to bear on developed countries to provide the necessary medication without the exorbitant costs involved.

I do want to speak today about two barriers that people living with HIV/AIDS are facing here in Ontario, and I encourage the current government to respond to these specific challenges. The first has to do with medication, because there have been and continue to be very unacceptable delays in reimbursements for those who are trying to get those costs covered through government programs. Second, there has been a refusal to add new medications to the Ontario drug formulary, and that has worked against HIV/AIDS sufferers.

Last year, there was an action alert that was released by the Canadian Treatment Action Council. It was called "Ontario Formulary Coverage at Risk." It said the following: "Many Ontarians with HIV/AIDS depend on public reimbursement to cover the cost of their medications through programs like Trillium and the ... (ODSP). Only medications that have been approved for the Ontario formulary are reimbursed for these programs. There are increasingly unacceptable delays and a refusal to add ... new medications, formulations and vaccines for children to the provincial formulary. Also, section 8 requests for exemptions to the formulary rules are either being denied or languishing in the system without reply." The alert went on to focus on one of those in particular on the section 8 list.

I say to this government, and I am sure the government is aware, these are serious medication issues and they have to be addressed. HIV/AIDS sufferers can't afford to pay for some of these medications out of their pocket. Many are living on a fixed income. Secondly, they shouldn't have to wait forever in terms of being reimbursed, especially through the government's own Trillium drug program.



The second barrier goes back many years. I remember when Frances Lankin was the NDP health critic in 1999 and raised the issue regarding nutritional supplements because, regrettably, the former government made a decision to refuse funding for nutritional supplements unless they were a person's sole source of nutrition. This policy was never intended to apply to people who have a medical need for nutritional supplements. Regrettably, because of that decision many people who are affected by HIV/AIDS have not been able to purchase the supplements. They just can't afford it and they can't get coverage for it.

I say to the current government, this is a policy that must be reversed. This is a barrier to those who are living with HIV/AIDS. It is not acceptable that many people who are already paying for high drug costs also can't afford to purchase nutritional supplements that assist in their healthy living. We need to do something about that as well.

We must be very vigilant in dealing with AIDS and HIV; that has been said by all speakers. But also today I encourage the government to look very seriously at those two particular barriers—I am sure there are many others—which can be responded to. I say they must be dealt with now. They are very serious questions of justice and financial equality that remain with these two problems. I encourage the minister to do those things, to make those changes now.

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## ORAL QUESTIONS

### GASOLINE TAX

**Mrs Julia Munro (York North):** My question is for the Minister of Finance. In your platform document, *Growing Strong Communities*, part of your election platform states, "We will help communities become more self-sustaining by giving them the means to invest in their own infrastructure and growth. We will give two cents per litre of the existing provincial gasoline tax to municipalities for public transit."

This two cents seems destined to go a long way, because this morning I was visited by firefighters in my riding who left me a copy of a letter written by the now Premier to Mr Fred LeBlanc, the president of the Ontario firefighters. I quote in the letter. It says, "This," referring to the two cents per litre, "will free up funds and allow our municipal partners to refocus their attention on the needs of their communities, including their fire services."

In your throne speech, there was no mention made of this promise. Minister, when are the municipalities going to get this break they were promised? After you have raised the provincial gasoline tax by two cents per litre?

**Hon Gregory S. Sorbara (Minister of Finance):** I want to welcome my colleague who represents the riding to the north of me and congratulate her on her re-election.

Going back over the previous eight years of Conservative administration, one of the most serious things that happened was when Mike Harris and Ernie Eves announced that provincial governments would no longer fund public transit. Since that time we've seen the deterioration of the public transit systems, not just in the greater Toronto area, but right across the province of Ontario.

At this point, I think it's safe to say that every single public transit agency in the province has said the same thing, that we are in very serious trouble. That's why we made the commitment on the two cents per litre and that's why, by the way, we're going to create a Greater Toronto Transportation Authority, so that we can start to rebuild the system that they left in very bad disrepair.

**Mrs Munro:** I appreciate the fact that the minister has been able to give us a rationale. However, he has not answered the question.

Even when fully implemented, this will only amount to \$312 million, according to your own calculations, for the entire province. This is a sum that I think we, Ontario taxpayers, need to know. How, Minister, do you plan to divide this amount among the many needs of Ontario municipalities?

**Hon Mr Sorbara:** There is no doubt at all that this initiative is not going to repair all the damage, but we are going to start operating in a new environment of co-operation. Do you remember when the previous mayor of the city of Toronto tried to get something going with the previous government? His language became very, very strong indeed. Yesterday, the Premier of the province met with the new mayor of the city of Toronto, and a new era of co-operation is emerging. So whether it's transit, or all the other aspects in building strong communities, we are going to create a new environment of transportation. We are going to keep our commitments.

On the question of public transit, it's one of the most urgent and pressing necessities because of the damage that they did during the period of eight years.

**Mrs Munro:** I would just like to point out to the minister that this previous government gave the TTC \$1.2 billion. It also gave \$331 million per year for transit. How much is this government going to provide for transit for the needs of all Ontarians?

**Hon Mr Sorbara:** The previous government provided some funding for the Sheppard subway in the city of Toronto. Some of us questioned whether that was the best use of public taxpayers' money. That's not the question for debate.

The cuts that were made in 1996 by the then finance minister, now the Leader of the Opposition, were the single most important event in the deterioration of public transit in this province. It used to be that American jurisdictions all over the United States used to come to Ontario to study our public transit system. Now, given what

they're doing down there, they don't even bother to come up and have a look. We're going to turn that around.

### PROVINCIAL DEFICIT

**Mr Ernie Eves (Dufferin-Peel-Wellington-Grey):**

To the Minister of Finance, your Premier has been quoted several times in a press conference on October 3, after the election, and in a scrum at Loyola on September 30 of this year: "We are going to move as aggressively as we possibly can on all of our commitments. We've got a fully costed plan, independently verified and certified, and we've accounted for a \$2-billion deficit. We've got another \$1 billion in reserve." That's \$3 billion.

Do I take it that your proposed \$5.6-billion deficit is instantaneously \$2.6 billion? Are you at least working on the \$2.6 billion now?

**Hon Gregory S. Sorbara (Minister of Finance):** I say with all due respect to my friend the Leader of the Opposition that it takes some nerve to come before this House—

*Interjections.*

**Hon Mr Sorbara:** During a 28-day election campaign; when every reasonable authority in this province, including the now Premier, said there were serious financial problems in the province of Ontario, one person said the budget was balanced. That man is now the Leader of the Opposition. He shouldn't have been saying it then, and he should acknowledge now in his place that he is the author of those problems.

**Mr Eves:** He can wiggle all he wants. The reality is that your plan, fully and independently costed, said you could remove \$2 billion in an instant, and another \$1 billion in an instant in reserve. That's \$3 billion gone. So now we're working on the \$2.6 billion.

Just a few days ago, your own economist, Dave Hall, the independent economist who crunched your revenue and cost projections for your platform, was quoted as saying on November 15, "What I did was enough to turn a \$2-billion deficit into a zero.... Arguably, it could turn a five (billion-dollar deficit) into a three." Do you disagree with your own economist?

**Hon Mr Sorbara:** The deficit this government inherited was identified not by us but by the most respected Provincial Auditor in the entire country. I want to say to you that the Leader of the Opposition simply has no credibility on this matter. I suggest to him that Conrad Black has more credibility when he talks about underlings than Ernie Eves has when he talks about the finances of this province.

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**Mr Eves:** I can understand the Minister of Finance's frustration. Instead of coming here and wringing his hands every day, he might want to actually roll up his sleeves in more than rhetoric—in reality—and get to work at the Ministry of Finance over there on the seventh floor of the Frost Building. I'm quite proud of my fiscal record in this province. We inherited a deficit of \$11.3

billion in a year and eliminated \$2 billion in spending in the first three weeks. You would do well to do the same.

There are lots of words that you could use to describe what you are saying here in the House today. The Speaker won't allow me to say them. But in the thesaurus there are other words that make up for the word I can't say here today, and these certainly would underscore the actions you and your government have taken today: beguile, break promises, bull, con, concoct, deceive, delude, dissemble, disseminate, distort, dupe, equivocate, exaggerate, fabricate—

**The Speaker (Hon Alvin Curling):** Minister.

**Mr Eves:** —falsify, fib, fudge, invent, make believe—

**The Speaker:** Minister.

**Mr Eves:** —misguide, misinform, mislead, misrepresent, prevaricate—

*Interjections.*

**The Speaker:** Order. There are some words that the leader of the official opposition has used—and he knows which ones. I'd ask you to withdraw them.

**Mr Eves:** Mr Speaker, I'd be happy to withdraw any word that has offended you.

**The Speaker:** The Minister of Finance.

**Hon Mr Sorbara:** My friend the Leader of the Opposition talks about rolling up his sleeves. His party put out the way in which they could balance the budget. You've really got to take a look at this. This is the very politics that the people decided against on October 2: sell assets, use accounting tricks, cut social programs.

*Interjections.*

**The Speaker:** Order.

**Hon Mr Sorbara:** The economic policies of the previous government were simple: reckless tax cuts without any adjustments to programs, leaving this province with structural financial problems that we now inherit. I want to tell you that we are up to this job and we—

**The Speaker:** New question.

### SARS

**Mr John R. Baird (Nepean-Carleton):** My question is again to the Minister of Finance. Over the years, Ontario taxpayers have paid the freight when there were wildfires in British Columbia, when cattle farmers in Alberta were in trouble, when prairie farmers in Saskatchewan and Manitoba had a problem with grains and oilseeds, or in the fishery on the east coast. But we had our own disaster in Ontario this past year with SARS. The people of the province of Ontario and their government have every right to expect to receive the full 90% that taxpayers and health care workers in this province are entitled to. Our government rejected as inadequate and insufficient and an insult the lousy \$150 million offered by the federal government. Would you stand in your place and tell us how you could sell out the taxpayers and health care workers of this province by accepting less than a third of the billion dollars that the people of the province are entitled to? How could you sell us out?



**Hon Gregory S. Sorbara (Minister of Finance):** My friend talks about sell-out. Look at their economic policies. Their economic policies are about sell-offs and—

**Hon Joseph Cordiano (Minister of Economic Development and Trade):** And rip-offs.

**Hon Mr Sorbara:** My friend adds the other word, “rip-offs.”

We negotiated a deal with the national government that was fair and reasonable. I tell my friend that what is more important is that we have established a new era of co-operation with the government in Ottawa. Federal-provincial relations for eight years, under that previous administration, were characterized mostly by political grandstanding and puffery, and that’s going to come to an end.

**Mr Baird:** This government certainly has established a new era of federal-provincial relations. Ontario is now the lapdog in the federation. How you could go to Ottawa and accept 30 cents on the dollar for our health care workers, for our hospitals, for our doctors and for those who suffered because of the tragedy of SARS is despicable.

My question is to the minister. Would you stand in your place and admit that you’ve made a mistake and would you go back to the table and deliver for Ontario taxpayers? If you’re not prepared to do that, would you step aside and let someone else go forward who will fight for Ontario taxpayers?

**Hon Mr Sorbara:** I tell my friend from Nepean-Carleton that I’ll consider his recommendation.

I see my friend from Toronto-Danforth is inviting me over there. I don’t think I’m going to take that offer.

The crisis of SARS really shook this province very badly. I’m not for a minute going to take political advantage of it. The management of that crisis by the previous government I think was reasonable and I think those in charge did a relatively good job, under the circumstances, of dealing with that crisis.

After the fact, my friend from Nepean-Carleton wants to grandstand on federal-provincial relations, when he knows, because I know now, that the figures that that government was giving to the federal government were grossly inflated.

## HOSPITALS

**Mrs Linda Jeffrey (Brampton Centre):** My question is for the Minister of Health and Long-Term Care.

Minister, on November 21, you made a welcome announcement in Brampton to the people in my riding who are concerned about the future of their hospital. They want the William Osler Health Centre to be built in a timely way.

There is no support for two-tier health care in Brampton.

I’ve spoken to you about the urgent need to build the William Osler Health Centre. Our community is growing

quickly and our existing hospital simply can’t keep up with the demand.

I know you’ve announced changes in the way the hospital will be constructed, but can I get your assurance today that the William Osler Health Centre will be built according to the original schedule?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I’d like to thank the member from Brampton Centre and the other members from Brampton who are doing such an effective job of representing their communities. Last Friday I had the opportunity to be in Brampton at Peel Memorial Hospital, where I announced that the agreement we’ve made ensures that Brampton will have a new hospital. It will be a public hospital that is publicly owned. It will be a public hospital, unlike your deal, that is publicly controlled and it will be a hospital that is publicly accountable. I’m very pleased to say—

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. The Minister of Health.

**Hon Mr Smitherman:** I’m also pleased to say that the people of Brampton will have a public hospital of which they can be proud and which will open as planned in 2006.

**Mrs Jeffrey:** The people of my riding will be happy to hear that. But as I said, they are not supporters of two-tier health care.

There have been suggestions that the hospital will be private and the thin edge of the wedge before private health care.

The principles of medical health care are important to me and my constituents. My understanding—

*Interjections.*

**The Speaker:** Order.

1510

**Mrs Jeffrey:** Minister, my understanding was that the previous government would allow the private sector to own these hospitals and that the government would lease them back. The title would indeed belong to the private sector. That sounds like a private hospital to me.

Under your new deal, will these hospitals belong to the private sector or will they belong to the people of Ontario? Will they be public hospitals or private hospitals?

**Hon Mr Smitherman:** I’d like to thank the member for Brampton Centre for the question. Incredibly—

*Interjections.*

**The Speaker:** Member for Whitby-Ajax, come to order, please.

**Hon Mr Smitherman:** Incredibly, under the deal that that party signed when they were in government, title and deed was to be transferred to the private sector; under our deal, it will not. Incredibly, under the deal that that party signed, control of that hospital would have been transferred to a private corporation; under our deal, it will not. Incredibly, under that government’s deal, the deal was never to be made public, but under our arrangements, it will.

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** On a point of order, Mr Speaker: I would like a copy of the deal that the Minister of Health referred to.

*Interjections.*

**The Speaker:** Order. That's not a point of order. The minister may make it available to you or not; that's his option.

### SPENDING REDUCTIONS

**Mr Tim Hudak (Erie-Lincoln):** My question is to the Minister of Finance. I'd like the minister to let us know what specific spending reduction targets he has set for this year, what he has communicated to his cabinet colleagues and the civil service in that respect, and will he immediately table those letters in the Legislature?

**Hon Gregory S. Sorbara (Minister of Finance):** I'll simply tell my friend for Erie-Lincoln that I will be making a full economic statement in this House sometime early in the month of December. At that time the questions that he asks will be answered in full.

**Mr Hudak:** I think this is very telling. The minister has been several months in the job and has not done any work in finding a dollar of savings.

*Interjections.*

**Mr Hudak:** I'll tell you where the minister has been busy. The minister has been very busy raising taxes on our seniors.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. It seems to me that we have some rather healthy lungs today. Not only healthy lungs, but they seem to be energetic.

Would you mind sitting down? Thank you.

Will you now put your question?

**Mr Hudak:** In the first two bills in the Legislature you have increased taxes on our seniors and you have increased taxes on our small businesses. You are taking money away from working families in the province of Ontario. You are driving the getaway car of the biggest tax hike in the history in the province. You have not found one dime of savings in your own provincial spending.

I have a great respect for your tremendous political skills. You are the mastermind of the Liberal campaign. Why won't you put that political acumen to work, roll up your sleeves, get off the dinner circuit and find some savings in government spending, beginning at least today?

**Hon Mr Sorbara:** I now know absolutely certainly that they've always had a problem with mathematics. Apparently I've been on the job several months now. By my calculation, it's been one month and two days. He talks about the dinner circuit. Any time that he wants to provide me with dinner—I haven't had dinner for three nights—I'll take him up on the invitation.

Let me tell you some of the things we're not going to do: We are not going to cut water inspectors. We are not going to do what the Leader of the Opposition did in 1996. I want to tell my friend that you left us with a very bad mess, and \$5.6 billion, in one sense, is only part of

the iceberg. We'll be reporting to this House on our strategies in part during an economic statement early in December, and I invite the member's comment on it after we make that statement.

### HIGHWAY IMPROVEMENT

**Mr Michael Gravelle (Thunder Bay-Superior North):** My question is to the Minister of Transportation. Minister, like many others on this side of the House, I was very pleased that you were able to sign a federal-provincial cost sharing agreement last week that allows us to finally move forward on some vital highway improvement projects in the province.

I can certainly tell you that in northwestern Ontario, the confirmed funding for the new Shabakwa Expressway extension was very well received. But as you would know, there are many other vital projects in northwestern Ontario that I've been working on for several years. Certainly, Highway 584 between Geraldton and Nakina comes to mind as a provincial highway in desperate need of improvement. Also, our campaign to four-lane the highway between Thunder Bay and Nipigon continues to be a project that I believe must go forward.

Minister, can we expect more cost sharing agreements between the senior levels of government to be signed, agreements which hopefully will enable our government to move forward on these important projects in the not-too-distant future?

**Hon Harinder S. Takhar (Minister of Transportation):** I thank the member for Thunder Bay-Superior North for his question. I know how tireless he has been in raising northern transportation issues.

The highway funding agreement we signed with our federal partners last week marks a new era of co-operation between our governments. We will continue to work with the federal government and northern communities to develop and implement a northern Ontario highway strategy to improve highways across the north.

In response to the specific question of the honourable member, the preliminary planning of Highway 11/17 is now complete, and approvals have been obtained for the eventual four-laning of the highway between Thunder Bay and Nipigon. The planned reconstruction of Highway 584 is on our priority list.

This government is committed to moving ahead with improving highways across northern Ontario.

**Mr Gravelle:** Minister, I very much appreciate your positive response. That's very good news. Certainly, the need for major highway improvements in northwestern Ontario is a high priority for me, as I know it is for our government and indeed for my constituents and for all people in northwestern Ontario.

That being said, I would be grateful if you would agree to formally meet with me to discuss our vital needs in a perhaps more detailed fashion. Could I get your commitment today that we can sit down in the near future to discuss these priorities which, I should say, should also include the need for more advanced warning lights on the



Thunder Bay Expressway, another high priority for us in the northwest?

**Hon Mr Takhar:** I would be very pleased to meet with the member for Thunder Bay-Superior North and my colleague the Minister of Northern Development and Mines to discuss the priorities of your area, including the need for advanced warning lights.

Our government recognizes that good highways are vital to northern communities. Together we will protect the infrastructure of the north, investing in our highways to build a safe and efficient transportation system that will benefit the north and all the people of Ontario.

### PROVINCIAL DEFICIT

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** My question is for the Minister of Finance. You continue to speak about a bogus \$5.6-billion deficit. This morning our leader and our critic demonstrated that if you really had the will, and you were willing to roll up your sleeves, that deficit could actually translate into a surplus of \$3 billion.

On November 3, John Manley, the Deputy Prime Minister and the federal Minister of Finance, announced \$771 million in federal health supplement dollars for Ontario. That money, that \$771 million, was intended for this year. Are you going to add this to this year?

**Hon Gregory S. Sorbara (Minister of Finance):** I'd like to refer this question to my colleague the Chair of Management Board.

1520

**Hon Gerry Phillips (Chair of the Management Board of Cabinet):** I appreciate the question. I'd say to the people of Ontario, this group said they had \$800 million of savings planned. We arrived. You had none of it—none, zero. Believe it or not, we found over \$1 billion of spending approved, announced by the Premier, never put in the budget. So what did we do? We rolled up our sleeves—I don't have the big cufflinks, but I just rolled up my normal sleeves—and got on with the job.

We're not going to allow that partisan advertising that you used hundreds of millions of dollars on to try and bribe the public with. We're going to outlaw it. We're going to prevent that from happening. And we're not going to allow these high-priced consultants, friends of the government, to do the work that should have been done by the public service.

I will say to the people of Ontario, I find it incredible that they go on the offence when we haven't determined clearly—at least a \$5.6-billion deficit, \$1 billion never accounted for, \$400 million of hospital debts never handled.

**Mrs Witmer:** I am shocked that the member opposite is not answering the question. He used to have such credibility when it came to finance. I asked a simple question: Are you going to add the \$771 million to the fiscal issues this year? Even John Manley said, "I believe that with our method of accounting in Ontario and in Canada, even if they get it next year, it will count this

year." Why are you not going to add it this year? Why aren't you going to roll up your sleeves and make sure you get the job done on behalf of the people who elected you and thought they could trust you?

**Hon Mr Phillips:** I'm shocked you don't understand the rules of accounting. The Provincial Auditor has said, "Listen, you can't take that money in one year. You have to book it over three years." The auditor blew the whistle on you. So I'm shocked that you don't understand.

It's a bit like the 407 sale: hocus-pocus accounting. My Premier has said those days are over. We are going to get Ontario on a sustainable fiscal basis so we can properly manage the finances without these accounting tricks. I'm shocked that the member didn't realize that the auditor says we must book these things over a three-year period. I'm shocked you didn't know that.

**The Speaker (Hon Alvin Curling):** New question.

*Interjections.*

**The Speaker:** Order. I asked for a new question. If Mr Hampton is going to ask a question today—I thought I made myself pretty clear yesterday.

**Mr Howard Hampton (Kenora-Rainy River):** Speaker, I believe we have unanimous consent on behalf of all New Democrats to ask a question of the government.

**The Speaker:** Again, as you know, you must get the unanimous consent of all members here.

Agreed? Agreed.

### AUTOMOBILE INSURANCE

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Finance. You've set promise-breaking records since you've come to office, and today you're breaking yet another promise.

On October 23, with much fanfare, the Premier announced an immediate freeze in auto insurance rates, but imagine the surprise when people from Capreol to St Catharines to Ottawa all received insurance rate increases after the Premier's overplayed announcement. To quote one Ottawa resident, "I feel like I've been lied to."

Minister, you also said, and your candidates said, that you were going to reduce rates by up to 20%. Can you explain why your government's much-ballyhooed announcement of a rate freeze failed to freeze anyone's insurance rates?

**Hon Gregory S. Sorbara (Minister of Finance):** I would have expected that kind of analysis from my friend from Niagara Centre. But the leader of the New Democratic Party, who is very well schooled in these matters, simply should perhaps acknowledge in his question that a new government coming into power does not have the power to freeze rates before it is in power.

What we said we would do the day we got into government would be to freeze rates that very day. The legislation that I have proposed today, if passed, prevents any new rate applications from being submitted. The fact of the matter is—and I said this in my statement; you've heard it and you should acknowledge it—that the rate

approvals that were in effect when we came into power had not actually touched the renewal applications of some drivers. So we're upfront about it: For those people, their premiums will be higher than they paid a year and a half ago. We acknowledge that. We can't do anything about that.

**Mr Hampton:** Here's the reality, Minister. For Virgilio Medeiros of Toronto, whose rates just increased from \$920 last year to \$1,425 this year, I don't think your rate freeze announcement is going to do a thing. Your rate freeze isn't working for Kimberley Benoit of St Catharines, who has received a 62% insurance rate increase, despite a clean driving record.

Monte Kwinter knows this field well. He was here once before. We could even accuse him of trying to drive the getaway car once before. He knows what the insurance industry is going to do. They've already said that if they're forced to cut rates by 10%, they'll raise them by 20% first.

**The Speaker (Hon Alvin Curling):** Question?

**Mr Hampton:** Or they'll refuse to write insurance policies—exactly what the industry's doing in Nova Scotia and New Brunswick.

Minister, have you gone out to British Columbia to talk to—oh, what's his name?—Mr Campbell, the Liberal Premier there who now endorses public auto insurance? I'll still pay for—

**The Speaker:** Minister.

**Hon Mr Sorbara:** The leader of the New Democratic Party has a very serious credibility problem when it comes to automobile insurance rates. I remember when Bob Rae campaigned on public automobile insurance in 1990. He got elected. Some of those members were in that government. Bob Rae—no less a personage than former Premier Bob Rae—came to this Legislature and said, to paraphrase, "I'm sorry. We were wrong. It was a bad idea. It would amount to the loss of some 5,000 or 6,000 jobs. It would ultimately cost drivers in Ontario more."

The fact that that leader, notwithstanding that history, would go to the people and propose once again public auto insurance—I think that's the reason why they sit there now with but seven members.

1530

## LAND USE PLANNING

**Mr Lorenzo Berardinetti (Scarborough Southwest):** My question is to the Minister of the Environment. First, Mr Speaker, congratulations on your election; and also congratulations to you, Minister of the Environment.

Minister, in the area of Clonmore and Gerrard in Scarborough there is a proposed residential development on land that is, for the most part, vacant. Residents there are concerned that the land may be contaminated and could be an environmental hazard. Will the minister look into this matter, in consultation with the city of Toronto planning department, as soon as possible?

**Hon Leona Dombrowsky (Minister of the Environment):** I would like to thank my colleague, the member from Scarborough Southwest, for the question.

The Ministry of the Environment is aware of this site, the Clonmore-Gerrard site in Scarborough. I think, for folks in that community, it is locally known as "the quarry." Part of the quarry is sited on a former landfill used in the 1940s. It predates any requirements of this Ministry of the Environment.

During the 1980s, part of the former landfill was developed as a mall. I understand that there is a developer who wants to build condominiums near this particular site. At this time, the ministry has not been approached to review a formal proposal or plans for a condominium.

I understand that the former landfill site does have an active leachate collection system, as well as methane ventilation. At the time the mall was built, barrels and other wastes were uncovered at the site, and cleanup was handled appropriately.

I encourage any stakeholders who have concerns to contact the Ministry of the Environment. If we were presented with a proposal, the ministry will certainly ensure that strict environmental standards are followed with any proposal.

**Mr Berardinetti:** The residents in my community will be very happy to hear that.

We would also like to know what action your ministry will be taking to address the problems of soil contamination. What can your ministry do to ensure that places like Clonmore-Gerrard in Scarborough are safe?

**Hon Mrs Dombrowsky:** I'm very happy to commit today that this ministry will work very closely with the city of Toronto on issues of this sort. I can assure the member that ministry staff will review any proposal of this nature when it is brought to our attention.

Also, the ministry deals with cleanups of this nature on a case-by-case basis, because it really does require an assessment of the particular history of the site, the kind of activity that occurred there. Depending on what the history is, it will be from that information that we will move forward with the requirements from the ministry.

I will say that in all cases, the ministry applies strict cleanup standards and guidelines to ensure that the environment in our communities is protected, particularly communities where there are nearby neighbourhoods and residential locations.

## TAXATION

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** Congratulations on your appointment, Mr Speaker. My question is for the Minister of Finance. Congratulations as well, Minister.

I'd like you to know that smokers, corner store owners, tobacco farmers and the tobacco economy are reeling after being hit by this Liberal government twice in as many days.

First you introduce legislation that will see the price of cigarettes skyrocket, while store owners, farmers and



their communities watch their market dwindle past the point of sustainability. This money grab was announced the day after the phony deficit announcement as an orchestrated tax to supposedly balance the books—no mention of tobacco tax dollars for health care.

Then your government introduced an electricity bill lifting the rate cap, a bill that will see small business and families hit again.

Your leader's television promise, "I won't cut your taxes, but I won't raise them either": Is this increase, this tobacco tax hike, a broken promise?

**Hon Gregory S. Sorbara (Minister of Finance):** I had an opportunity last night to listen to some of the debate on Bill 2, which is the bill we introduced in this Legislature to put into effect the commitments that we made in respect of taxation during the campaign. For the life of me, the approach by the official opposition, accusing us of misrepresentation, accusing us of taking measures that we never referred to in the campaign—it was all there in black and white, including our commitment to raise tobacco taxes in a measured way over a certain period of time, up to the national average, which, if we did it in one fell swoop, would need an increase of \$10 per carton.

**Mr Barrett:** People in my riding are under the impression that your leader would not raise taxes. In addition, Minister, there is anxiety in tobacco country—in Brant, Oxford, Norfolk, as our Minister of Agriculture would know, and Elgin and Middlesex as well. Your leader promised that tobacco farmers would receive compensation in the wake of these increases. We've seen no mention of reparations, no mention of a buyout, no mention of a buy-in to assist other commodities threatened by the tens of thousands of acres coming on to the open market, no mention of a buy-in to foster other agribusiness and economic activity—nothing mentioned.

As finance minister, when will compensation, when will reparations, for these communities be announced?

**Hon Mr Sorbara:** Perhaps, given the nature of the question, I'll refer the supplementary to my colleague the Minister of Agriculture and Food.

**Hon Steve Peters (Minister of Agriculture and Food):** It's very interesting to hear the member opposite speak right now. On June 18, 2002, the previous government raised tobacco taxes by \$5 a carton. Yet, did we hear anything from him at that time? No, we did not.

You claim that you're standing up for your tobacco farmers, Mr Member. I can assure the member that a portion of these dollars are going to be allocated to a transition fund. We have met regularly with the tobacco board to make them aware that this transition fund exists, because we're prepared to help growers. We're going to work with the federal roundtable to work with growers.

It's very interesting, right now, for the member to stand up and not recognize that this is one of the most serious health issues that this province faces. Our government was straight-up. When we campaigned, we said "\$10 a carton." Unlike the honourable member on the other side, who was out fear-mongering, talking about

\$15-a-carton tax increases, we're taking a responsible approach. I just wish the member had spoken up against his own government when you implemented \$5 in June 2002.

## DOMESTIC VIOLENCE

**Mrs Maria Van Bommel (Lambton-Kent-Middlesex):** My question is for the Attorney General. Domestic violence is a growing problem in our province. Every day we see more horrific stories related to domestic violence. In one such case, in the city of London, we have a 17-year-old young mother who was shot and killed in her own home. What is your ministry prepared to do about this growing problem?

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** I thank the member for Lambton-Kent-Middlesex for the question. I know all members of this House wish to send our condolences, thoughts and support to the victim's family and to all the members of the community.

As the member knows, earlier this week I was part of a very positive meeting with OAITH, a group that is working on the front lines, dealing with domestic violence against women. I did a lot of listening and a lot of learning. Fighting domestic violence is a profound priority for this government. We will take action to implement all of the recommendations of the Hadley and May-Isles inquests. We will work constructively with the federal government to make changes to the Criminal Code that are necessary to permit us to better prevent and prosecute on this matter. I understand that the criminal and civil justice system is but one component of providing justice to those who are abused in domestic violence situations, those women and children. We get that in this government.

1540

**Mrs Van Bommel:** As the minister just said, domestic violence is more than just an issue of justice. I want to draw your attention to the 2001 Provincial Auditor's report, which clearly refers to an incident where one women's shelter had to turn back over 1,000 battered women and children in one year. The previous government neglected the problem of domestic violence, to the detriment of many families, and, through its neglect, allowed the problem to persist.

What steps is the government going to take to prevent domestic violence before it becomes an issue before the courts?

**Hon Mr Bryant:** Yes, the member is right. Domestic violence is a crime and it has a devastating effect on women and children.

I want—we all want—our justice system, civil and criminal, to be the best that it can be for these victims. One out of four violent crimes involves domestic violence, but we know that the vast majority of women and children who are abused in domestic situations do not go to the police and do not go to our criminal justice system.

Justice for domestic violence victims and their children must involve more than just criminal and civil remedies. That's why the solution must come not only from the Ministry of the Attorney General, but a number of ministries in this government and also from their community at large.

There is justice in a past and potential future victim starting a new life, free from violence and free from economic dependence by the abused upon the abuser. That is the justice that this government will deliver upon.

### OAK RIDGES MORaine

**Mr Jim Wilson (Simcoe-Grey):** My question is for the Minister of Finance. Minister, it's my understanding that in the past you used to act as a consultant to companies that build homes or other developments on the Oak Ridges moraine. Is that true, and, as a result of the advice you gave those companies, how many homes and how many developments were built on the moraine?

**Hon Gregory S. Sorbara (Minister of Finance):** It is not true. I have never acted as a consultant to any homebuilder.

**Mr Wilson:** During your time away from this House, it is my understanding that you did consult or gave advice, or perhaps your own family companies built homes on the moraine. You're saying today that that's not true and that you had no relationship at all with development that was going on in the Oak Ridges moraine?

**Hon Mr Sorbara:** It may well be that a company in the Sorbara Group at some time in the past, over the course of 20 years, acted as a consultant to a homebuilder. I have no knowledge of that, and I'm not sure why the member would raise it in this House.

**The Speaker (Hon Alvin Curling):** The question did not relate to the member's ministry at all. I would caution members, when you are asking questions, to make sure your questions—

*Interjections.*

**The Speaker:** Order. I would hope that the questions are related to the minister's ministry.

### HOSPITALS

**Mr Jim Brownell (Stormont-Dundas-Charlottenburgh):** My question is to the Minister of Health and Long-Term Care. As you are aware, my community has been struggling with the Harris-Eves government's careless mismanagement of health care institutions. The Winchester District Memorial Hospital faces critical requirements. The building is dated and inhibits efficiency, we are losing much-needed doctors and nurses, and extensive changes and reinvestment in the hospital are required.

The previous government ignored our concerns. Minister, will you hear our needs by meeting with community representatives and myself to discuss our hospital situation?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I'd like to thank the member for Stormont-Dundas-Charlottenburgh for his question. I know that he works hard on behalf of his constituents on matters related to health care.

I'm very happy to tell him that I'd be very pleased to meet, even while the House is in session, if it could take place here in Toronto, or certainly to get to his community no later than the month of January to have the opportunity to hear first-hand about the health needs of the people of his constituency.

**Mr Brownell:** Thank you for your assurances and attention to this matter. The people of Stormont-Dundas-Charlottenburgh are happy to hear that this government has brought health care to the forefront of our governance.

Minister, since Winchester District Memorial Hospital is in such close proximity to Ottawa, and in fact serves as an affiliate hospital to this area, can you please tell me more about the new hospital being built in Ottawa, which will also benefit the people in my riding and in eastern Ontario?

**Hon Mr Smitherman:** I also heard from members opposite strong support for the project at Winchester, so I'm looking forward to learning more about it.

I'm also pleased to be able to report that we've delivered a public hospital to the people of Ottawa as well, a hospital that the people of Ottawa will be proud of because it's a hospital that will be publicly owned, it's a hospital that will be publicly controlled, and it will be a hospital that has public accountability, unlike the deal that this government recommended to the people of the province of Ontario.

### SMALL BUSINESS

**Mr Cameron Jackson (Burlington):** My question is for the Minister of Energy. Minister, two days ago your government brought in one of the largest tax increases for Ontarians in its history. It increased property taxes; the seniors' tax credit was removed; we had a 14% increase in corporate income taxes; income tax relief for small business was removed.

You wilfully and deliberately broke your election promise and lifted the electricity cap, driving electricity costs up by approximately 18% for small businesses in our province. The Toronto Star has indicated that a neighbourhood pizza parlour can expect to pay \$250 more per month to operate their business. Judith Andrew of the Canadian Federation of Independent Business has said that small business, which has already struggled, will be in a more difficult situation.

Minister, why is it that last week in your throne speech you said that you were going to try to operate businesses with a stable environment, and yet on Monday you increased corporate taxes 14% and on Tuesday your energy cost was going up 18%? That's a 32% increase for small business in this province in two days.



**Hon Dwight Duncan (Minister of Energy, Government House Leader):** Unlike the previous government, the commitments to not lower taxes further were in our platform, campaigned on, and vigorously supported by the people of Ontario. That's why you're over there and that's why we're over here.

With respect to the energy question, last November this government did a home invasion in Mississauga to announce the cap, and even in that home the people realized it was bad public policy. They realize that we're doing the responsible thing to get rid of the deficit you created.

You said last year that that plan would be revenue-neutral. It's not revenue-neutral. It has cost every taxpayer \$800 million. Small business and farmers understand that you have to live within your means. That's what we're doing.

**Mr Jackson:** You're over there and we're over here because before October 2 you said one thing to the taxpayers of Ontario and after October 2 you said another thing to the taxpayers.

It is very clear that under your government Ontarians are going to pay more and get less. There's no question that you were incorrect when you suggested yesterday to this public that their monthly hydro bills were only going to go up, on average, about 6%. You are talking about the 50% of their hydro bill that deals with energy that is produced and consumed. The other half of that hydro bill in this province includes uplift charges, transmission charges, distribution charges, debt charges, higher taxes.

You, Minister, have indicated and provided protection in yesterday's statement and legislation. "Beginning March 1, 2004, local distribution companies would be allowed to recoup some of the costs that the previous government had put on hold." That's 800 million more dollars that you are going to gouge from businesses and consumers in this province.

**Hon Mr Duncan:** The fact is that your plan gouged them on the tax side. They're paying for it one way or the other.

Number two, the member hasn't had much time to come up to speed on his file. That price increase is all in, including transmission and distribution.

This government is keeping its commitments. We've stopped approving your auto rate insurance increases. We've announced that we're going to freeze tuition. We removed supervisors from Hamilton, Ottawa and Toronto. We've appointed a Minister of Northern Development from the north. We've announced legislation to eliminate the private school tax credit.

We are proud that we stopped your irresponsible tax cuts. We're proud of our record on that. We're proud of the commitments we've kept. And we're going to do something you didn't do: We're going to provide reliable, stable, affordable hydro in the province of Ontario for many—

**The Speaker (Hon Alvin Curling):** New question.

1550

## TRANSIT SERVICES

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** My question is for the Minister of Public Infrastructure Renewal. My riding is suffering from gridlock, in part because we do not have a coordinated transit system in the GTA. Transit users have to negotiate a maze of highways, subways, streetcars and buses as they travel from Toronto, Peel, Durham, York and my own community of Etobicoke. The result: more people in cars, more cars on the highway and more gridlock. Transit users are expecting government action. In the throne speech, the government announced its intention to create a Greater Toronto Transportation Authority. How will this result in real, positive change for the people of my community?

**Hon David Caplan (Minister of Public Infrastructure Renewal):** I want to thank the member for her question. I also want to congratulate her on her election to this Legislative Assembly.

Our government is committed to easing gridlock. We're committed to investing in the future of public transit through the creation of a Greater Toronto Transportation Authority. Too much time is wasted in traffic. Each morning, 370,000 cars come into Toronto and 240,000 cars head out. The cost to our economy, to our environment and to our quality of life is unacceptable. The Greater Toronto Transportation Authority is an important first step in tackling these issues. The transportation authority will have leadership responsibility for much-improved planning and coordination of transit initiatives in the coming months and years.

In addition, the transportation authority will be asked to implement a one-pass fare system, which will greatly improve the service for transit riders throughout the GTA. I want to add—

**The Speaker (Hon Alvin Curling):** Thank you.

## PETITIONS

### TOBACCO TAX

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** This petition is signed by people very concerned about Liberal tobacco policies, people from La Salette, Langton, Tillsonburg, Simcoe, Mississauga, Waterford and Windham Centre.

"To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty has stated that he will increase tobacco taxes by \$10 a carton, force store owners to hide cigarette and tobacco displays behind a curtain, and support a smoke-free Ontario; and

"Whereas history has proven that increases in tobacco taxes cause increases in the smuggling trade for illegal

black-market tobacco whose contents are neither regulated nor inspected; and

"Whereas forcing store owners to hide their tobacco displays unduly punishes both store owners and consumers for the purchase and marketing of what remains a legal product;

"We, the undersigned, respectfully petition the Parliament of Ontario as follows:

"That the government of Ontario reject the increase in tobacco taxes and the ban on the display of tobacco products, and protect the rights of consumers to purchase a legal, regulated product—tobacco."

I hereby affix my signature to this position.

**Mr Ernie Hardeman (Oxford):** Similar to my colleague from Haldimand-Norfolk-Brant, I want to say the tobacco policy of the government across the aisle is a big issue, so I have a petition.

"To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty has stated that he will increase tobacco taxes by \$10 a carton, force store owners to hide cigarette and tobacco displays behind a curtain, and support a smoke-free Ontario; and

"Whereas history has proven that increases in tobacco taxes cause increases in the smuggling trade for illegal black-market tobacco whose contents are neither regulated nor inspected; and

"Whereas forcing store owners to hide their tobacco displays unduly punishes both store owners and consumers for the purchase and marketing of what remains a legal product;

"We, the undersigned, respectfully petition the Parliament of Ontario as follows:

"That the government of Ontario reject the increase in tobacco taxes and the ban on the display of tobacco products, and protect the rights of consumers to purchase a legal, regulated product—tobacco."

#### COMMUNITY CARE ACCESS CENTRES

**Ms Shelley Martel (Nickel Belt):** I have a petition that's been sent to me by Madame Bruneau of Gogama. It's signed by 180 individuals. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Manitoulin-Sudbury Community Care Access Centre delivers vital home care services to local seniors, the disabled, and those discharged from hospital, so they can remain in their own homes; and

"Whereas the Manitoulin-Sudbury Community Care Access Centre needs additional \$1.8 million from the Minister of Health this fiscal year just to deliver its current level of health care services; and

"Whereas the Ministry of Health has refused to fund this necessary increase and has further failed to provide the CCAC with equity funding promised last year and this year, despite a 1998 promise made by the former minister responsible for seniors, Cam Jackson, to do so; and

"Whereas this deliberate underfunding by the government of the Manitoulin-Sudbury CCAC has forced

the CCAC board to adopt a deficit reduction plan which severely reduces the home care services it provides; and

"Whereas this reduction has a drastic impact on clients who cannot afford to pay for these services and will be forced to go without necessary health care or be forced into long-term-care facilities;

"Therefore, be it resolved that the government immediately fund the additional \$1.8 million requested by the Manitoulin-Sudbury CCAC this year, and further, provide the equity funding which was promised in 1998."

I agree with the petitioners. I've signed my signature to this.

#### ONTARIO BUDGET

**Mrs Julia Munro (York North):** "To the Legislative Assembly of Ontario:

"Whereas John Manley has said that the \$771 million promised from the federal health supplement can be applied to this year's budget;

"Whereas this year's budget should include the full-value sale of Teranet;

"Whereas this year's budget should include the \$300 million in savings from an OPS hiring freeze announced by David Tsubouchi on October 8;

"Whereas this year's budget should include the full amount, 90% of the costs from the SARS emergency;

"Whereas this year's budget should include the \$2 billion announced in the government's financial plan earmarked for a deficit;

"Whereas this year's budget should include the \$1-billion contingency fund announced in the government's financial plan;

"Whereas this year's budget should include the in-year benefits arising from the planned January tax hikes;

"We, the undersigned, call upon the provincial government to take the responsible approach and immediately apply in full the money available to them which will allow them to balance the budget and ease the fear that they have created among taxpayers of this province."

I'm pleased to affix my signature to this worthy petition.

**Mr Ernie Hardeman (Oxford):** I have a petition to the Legislative Assembly of Ontario.

"Whereas John Manley has said that the \$771 million promised from the federal health supplement can be applied to this year's budget;

"Whereas this year's budget should include the full-value sale of Teranet;

"Whereas this year's budget should include the \$300 million in savings from an OPS hiring freeze announced by David Tsubouchi on October 8;

"Whereas this year's budget should include the full amount, 90% of the costs from the SARS emergency;

"Whereas this year's budget should include the \$2 billion announced in the government's financial plan earmarked for a deficit;



"Whereas this year's budget should include the \$1-billion contingency fund announced in the government's financial plan;

"Whereas this year's budget should include the in-year benefits arising from the planned January tax hikes;

"We, the undersigned, call upon the provincial government to take the responsible approach and immediately apply in full the money available to them which will allow them to balance the budget and ease the fear that they have created among taxpayers of this province."

I support the people who signed the petition and the content thereof.

### TOBACCO TAX

**Mr Garfield Dunlop (Simcoe North):** "To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty has stated that he will increase tobacco taxes by \$10 a carton, force store owners to hide cigarette and tobacco displays behind a curtain, and support a smoke-free Ontario; and

"Whereas history has proven that increases in tobacco taxes cause increases in the smuggling trade for illegal black-market tobacco whose contents are neither regulated nor inspected; and

"Whereas forcing store owners to hide their tobacco displays unduly punishes both store owners and consumers for the purchase and marketing of what remains a legal product;

"We, the undersigned, respectfully petition the Parliament of Ontario as follows:

"That the government of Ontario reject the increase in tobacco taxes and the ban on the display of tobacco products, and protect the rights of consumers to purchase a legal, regulated product—tobacco."

I'll be happy to sign that, and I'd like to give it to Vaibhav.

### CENTRES D'ACCÈS AUX SOINS COMMUNAUTAIRES

**M<sup>me</sup> Shelley Martel (Nickel Belt):** J'ai une pétition qui dit :

« Attendu que le centre d'accès aux soins communautaires de Manitoulin-Sudbury fournit des services de soins à domicile essentiels aux personnes âgées, aux handicapés et à ceux qui reçoivent leur congé de l'hôpital de la région, afin qu'ils puissent demeurer chez eux; et

« Attendu que le centre d'accès aux soins communautaires de Manitoulin-Sudbury a besoin d'une somme additionnelle de 1,8 million de dollars du ministère de la Santé pour cette année financière seulement pour dispenser les services de soins de santé à son niveau actuel; et

« Attendu que le ministère de la Santé refuse de financer cette hausse nécessaire et a été incapable d'offrir au CASC un financement par capitaux propres l'an dernier et cette année, malgré une promesse faite en ce

sens en 1998 par l'ancien ministre des soins de longue durée, Cam Jackson; et

« Attendu que le sous-financement délibéré du CASC de Manitoulin-Sudbury par le gouvernement a obligé le conseil d'administration du centre d'accès d'adopter un plan de réduction du déficit qui se traduit par une diminution importante des services de soins à domicile qu'il dépense; et

« Attendu que cette réduction a des conséquences néfastes sur les clients qui n'ont pas les moyens de payer pour ces services et qui devront se priver des soins de santé nécessaires;

« Nous, soussignés, demandons donc au gouvernement de financer immédiatement la somme additionnelle de 1,8 million de dollars requise par le CASC de Manitoulin-Sudbury cette année, ainsi que de verser le financement par capitaux propres promis en 1998. »

Monsieur le Président, j'y ai mis ma signature aussi. Je suis d'accord avec tout le monde.

1600

### ORDERS OF THE DAY

#### FISCAL RESPONSIBILITY ACT, 2003

#### LOI DE 2003 SUR LA GESTION RESPONSABLE DES FINANCES

Mr Sorbara moved second reading of the following bill:

Bill 2, An Act respecting fiscal responsibility / Projet de loi 2, Loi concernant la gestion responsable des finances.

**The Speaker (Hon Alvin Curling):** Yesterday, I think the member from Northumberland had completed his statements and comments. But now we're into comments and questions.

**Mr Garfield Dunlop (Simcoe North):** I'd like to take a moment just to make a few comments.

First of all, I've had a few statements, but I haven't had the opportunity to congratulate you on your win as Speaker. I wish you all the best in the next four years, because I'm just waiting on the exact time when we'll have an election date.

I'd like to congratulate Mr Rinaldi on his victory in Northumberland. You obviously beat one of our members, and I congratulate you for that.

I'd like to make a few comments on this historic tax-hike bill. It is an honour to speak from the opposition on the Fiscal Responsibility Act, 2003. We call it the Largest Tax Hike in Ontario History bill.

As you probably know, this ranks, in terms of the analysis that we've done on the particular piece of legislation, as the largest tax hike in history. Starting in 1993, Bob Rae had the original record of \$2.2 billion. David Peterson followed that up in 1989 with a \$2.8-billion tax increase bill. Our new Premier, the Honourable Dalton McGuinty, set the new record and the new bar at \$4.13

billion. We're very interested in the fact that that's what has happened with this particular piece of legislation.

I've got to tell you—and I know we'll hear lots of comments on this before this bill is actually enacted—I have a real concern as a former small businessperson. Certainly, our family still has assets in a number of different businesses, and I can tell you that the corporation tax increase is going to have a substantial effect on the businesses of our province. I hope it doesn't. I hope that we can sail through this session and this Parliament and keep a strong economy. But I think, when you look at how it will impact the corporations of our province, it will have a dramatic effect on job growth in the province of Ontario. For that reason, I certainly won't be supporting this bill in any way whatsoever, and look forward to the other comments and questions and further debate on this particular piece of legislation.

**Mr Rosario Marchese (Trinity-Spadina):** I will have the opportunity in this round of debate to have a 20-minute opportunity to speak and so I wanted to simply say on two parts of this particular bill that, as New Democrats, we supported this government when they said they would get rid of the tax credit for private schools; no disagreement with that. Let it be clear to those folks watching that we New Democrats—and I will have another opportunity when I'll have the 20 minutes to tell you why we disagree so much on so much else.

But on the tax credit, it's a good thing that they have done this. New Democrats were unanimous in their opposition to the Conservative initiative on giving tax credits for private schools—unanimous. You would not find one New Democrat in this caucus who supported the tax credit for private schools, unlike the Liberal Party that had many dissenting members, but I am happy that they have ended this. Clearly, they do need the money and they need it right away.

Philosophically, New Democrats support this. For good economic reasons it's good to get back the \$100 million and put it back, hopefully, into public education. But, Ms Cansfield, I'm not quite clear and I'm not sure that the savings of that \$100 million that you might get are going to go back to our education system. In fact, I am highly concerned, worried, that public education will see little of that \$100 million, and we are expecting you to keep that promise.

I will speak to that in my 20 minutes. We'll have an opportunity. I will have more time, I hope, because we need to be able to chat and the public needs the opportunity to see New Democratic points of view, and you will get it.

**Mrs Donna H. Cansfield (Etobicoke Centre):** On behalf of Etobicoke Centre's constituents collectively, Mr Speaker, we'd like to express our sincere congratulations on your election as Speaker of the House. I know you will do an outstanding job.

I'd like to say again on behalf of Etobicoke Centre that it is extremely important that what we maintain and sustain is a very responsible government that looks forward to, first of all, setting a foundation on which to build. It is

incredibly important that we're going to put back the money into education and health care, but first and foremost, we need to be able to get our own house in order. We do that first and then we put the money where it belongs, into maintaining and sustaining a very viable public education system, ensuring that public health remains in public hands and that again it is accessible and affordable to all.

What I'd like to say—and I make that commitment as I have to others—is that I don't spend money I don't have. First of all, I will be responsible in terms of how I spend the money that I do have. I make that commitment on behalf of the constituents in Etobicoke Centre and I make that commitment to my colleagues in having responsible, predictable, good, basic government. I thank you very much for this opportunity.

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):** Mr Speaker, I too want to congratulate you on your election to the chair of this wonderful chamber. I also want to congratulate the member from Northumberland, who had his maiden speech last night. I will have an opportunity at some further date, I'm sure.

**Hon James J. Bradley (Minister of Tourism and Recreation):** Tell me when; I'll be here.

**Mr Yakabuski:** OK. I do want to speak to the tax hike bill, the Fiscal Responsibility Act of 2003.

I had the opportunity to speak to the Upper Ottawa Valley Chamber of Commerce last night in Pembroke. This is a bill that concerns them very much, as well as it does myself. As a former small business owner as well, I can tell you that there's nothing that saps the life out of small business than a further tax hike. What creates jobs is when businesses have more money at their disposal to reinvest into their businesses and to create jobs for other people in that community, thereby growing the economy and helping every single service that exists, including the social services that are so important, particularly in rural Ontario, where they need more funding in those hospitals.

1610

But when we see tax increases being implemented against a business in this province, it is not going to help our hospitals, it is not going to help our schools; it is in fact going to hurt all of those essential social services because those businesses pay the bills. They employ the people who pay the bills. When we place an additional burden on them, it cannot help anything in the province of Ontario. The short term might see some revenue for this government, but the long term is going to see their revenue significantly cut. Because when jobs are lost in this province, it does not increase revenue, it decreases revenue.

So when small businesses are hit with that kind of additional burden, it hurts not only the small businessman and not just his bottom line, but it hurts the people working for him, it hurts the people in his community and it will hurt the fiscal standing of this government in the end.



**The Speaker:** The member from Northumberland has two minutes to respond.

**Mr Lou Rinaldi (Northumberland):** Thank you, Mr Speaker. This is my first opportunity to congratulate you—in the past, you weren't in the chair—but I think this House made a great choice.

First of all, I'd like to thank the members from Simcoe North, Trinity-Spadina, Etobicoke and Renfrew-Nipissing for commenting on the words I said last night. As I reflect, as I said last night for those people who were here, I base my decisions on what the people out there tell me. I referred to a number of occasions when I had the opportunity to meet the people of Northumberland, who reflect most of the rest of the people of Ontario. They clearly told me that they didn't believe in tax cuts any more. The former government tried—and I give them credit. They tried, tried and tried and they failed, failed and failed on every front. Everybody told me that they didn't want any more tax cuts, with the exception of one person. One person told me they were not going to support the Liberal Party because we don't believe in tax cuts.

They did tell me that seniors were prepared to pay their fair share to keep a good, healthy Ontario. The people did tell me that they don't oppose minimum wage—they were complimenting the Liberal Party for taking a stand that hadn't been taken for eight-some-odd years.

I believe the platform we have put forward in the last three days truly reflects the voice of Ontario. The people of Ontario listened in the past and they gave the members of the opposition a good opportunity to fix Ontario, but they destroyed it. So I have a lot of faith in what we're doing and I support our platform 100%.

**The Speaker:** Further debate?

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I wish also to address government Bill 2, affectionately known on this side of the House as the Largest Tax Hike in Ontario History bill. Over the past eight and a half years, people and businesses in Ontario have learned what it means to have more money in their pockets to spend, more money to save, and certainly more money to invest. Usually, this money is invested in their home communities. Over the past eight and a half years, the Conservative government introduced over 220 tax cuts across the province of Ontario. The result: Ontario became the leader in economic growth among all G8 countries; over one million net new jobs were created; well over 600,000 people were taken off the welfare rolls; and record investments were made in health, education and in our environment. The evidence clearly shows that cutting taxes creates a strong economy. Tax cuts, very simply, create jobs.

The formula is basically very simple. It's basic stuff. Cutting taxes gives our people and businesses more dollars to spend and invest, increasing the bottom line, luring more business to the province of Ontario, creating jobs, with the culmination being, very clearly, strengthening the economy, as we have seen over the last eight

and a half years. Tax increases, on the other hand, take money out of people's pockets, leaving them less money to spend, decreasing the bottom line for business, resulting in fewer jobs and a weakening economy. We refer to it as a vicious Liberal cycle, a cycle that the present government seems keen on forcing on Ontario once again, as we continue down this trail of broken promises.

The results bear out what I'm saying. Since the PC government started implementing tax cuts, government revenues increased by over \$16 billion a year. Our government understood that a strong economy is the foundation of a strong Ontario. All the services we cherish most—health care, education, our environment, safe communities and protection of quality education—are built on economic strength. For some reason, that clear reality seems lost on the current government and is evidenced by what we see as the shameful tax grab that we're debating this afternoon in the form of Bill 2.

So here we are debating a bill that will reverse the direction of a tax policy that has seen Ontario's economy grow at unprecedented rates. Here we are debating a tax-hike bill with a government that keeps telling us they're not raising taxes. The Premier may wish to continue with his semantics game, but no amount of wordplay can hide the fact that this bill will have the people and the businesses of Ontario paying more to their provincial government than they would have under a Conservative government.

I'd like to examine some of the tax initiatives the Liberals are proposing. First of all, and we heard this earlier this afternoon, smokers, corner store owners, farmers and other business people will see a phony attempt to balance the books with this increase in the tax rate on cigarettes up to 74%. Clearly, this is nothing more than a Liberal tax grab. It will be borne on the backs of tobacco farmers who have worked all their lives producing a legal product, a legal product serving probably as one of the biggest contributors to local agribusiness economies in my riding of Haldimand-Norfolk-Brant, as well as other communities: certainly in Elgin and Middlesex, as our Minister of Agriculture well knows, and in Oxford, as represented by our agricultural critic.

Tobacco supports jobs. It supports 14,000 full- and part-time jobs in Norfolk, Brant county, Elgin, Middlesex and Oxford, and it generates \$500 million in economic activity. Any significant or very sudden decline in our tobacco industry will have a very significant and tremendous impact on the economic viability of those counties I just mentioned.

I'm proud to be an MPP for a tobacco county. I'm proud to represent the farmers who mean so much to our communities. I have always opposed federal and provincial tobacco tax hikes. They take us down the road to smuggling, they take us down the road to theft and unregulated, underground use that was oh so common in the early 1990s. Despite efforts by the antis and the zealots, there presently remain roughly seven million people in Canada who choose to use tobacco products. Tax increases will not force consumption to dissipate.

More and more of it will go the illegal route: offshore tobacco and smuggling. If Canadians continue to smoke, I feel it's incumbent on our government to ensure at minimum that they continue to smoke Canadian tobacco.

Read any newspaper or watch television, and smokers are being interviewed with regard to Mr McGuinty's most recent tax hike. People are telling reporters that if they want to smoke, they very clearly will find a way. For years, governments have used tobacco tax policies in an attempt to accomplish two things: (1) to reduce tobacco consumption, and (2) to meet fiscal objectives.

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It was nearly 10 years ago that tobacco taxes reached a peak, and were subsequently lowered again due to the increase in tobacco smuggling and non-taxed sales. We know that consumers are responsive and they will most definitely look to alternate sources for supply.

Again I ask the question, can't Mr McGuinty and his Liberal government see that tax hikes are a no-win situation not only for the tobacco producers but also for Ontario communities? It's a no-win situation for this government as well. I pose the question, would Ralph Klein deep-six his Alberta oil and gas industry, for example, the way Dalton McGuinty is attacking his own homegrown tobacco market in the province of Ontario?

If Mr McGuinty and the Liberals truly believe that tax increases will decrease consumption, I ask them to consider a country with no domestic tobacco industry. In the event that a tobacco industry in Ontario ceases to exist—and the way we're heading, there is a clear and present danger of that happening—domestic production will be replaced by imported foreign product and, obviously, exported jobs.

If people in this Legislature are concerned about the health of Ontarians, imported tobacco will only accelerate health-related problems associated with the use of that product. Just take a look at what is being sprayed on the crop in Asia and South America and ask yourselves why floor sweepings in Third World countries belong in the hands of Canadian smokers.

I don't believe for a second that government is taxing smokers because it cares about the health impacts of tobacco. Tobacco tax increases are essentially a tax grab. It's a money grab, taking money out of taxpayers' hands and from those farmers, their employees and their families who toil in the fields to produce this particular crop.

When this government thinks it needs more money, allegedly to deal with next year's phony deficit, what's the answer? Obviously, in the last several days the number one answer has been to jack up taxes. The number two answer is to jack up taxes again, and third is to blame it on a bogus projected deficit, a deficit projected for next year, March 31. Later on—and we heard this today—it's to tell people you are concerned about smoking. I suppose in the final analysis, the assumption is that our government will sit back and count the money as it rolls in. Be surprised if millions of dollars in revenue do not show up in your projections. There will be a revenue

shortfall as people behave in what many smokers would consider a rational economic behaviour: They will make decisions to avoid these taxes.

Mr McGuinty has not thought this through very carefully. Instead, he has caved in to people like Garfield Mahood, for example. The Premier's name is McGuinty; it's not Mahood. Just whose hand or how many hands are on the tiller of this present government?

As I mentioned at the top, lower taxes create more jobs, and in turn they mean more money for priority services like health care and education. Higher taxes in relation to tobacco stifle the economies of those small farm communities that depend on them. They establish the grounds for smuggling, contraband smokes and imported tobacco, tobacco in which we would have no control over the content.

Information currently available confirms that the sale of contraband cigarettes and tobacco products is growing. Further, there are indications that the demand for tobacco products is far greater than the current supply. I'll say it again: Contraband products pose a serious threat to producers, to legitimate wholesalers and retailers, all of whom are law-abiding citizens. These people pay taxes.

I do suggest, with all respect, that Mr McGuinty go back to the books to do his homework on tobacco taxation. This Fiscal Responsibility Act, 2003, does propose amendments to the Tobacco Tax Act, jacking up taxes on tobacco from 67% to 74%, something that normally you would see done in a budget. However, they snuck this one in early. Their goal: Put our tobacco tax up with Alberta's, put it up to the level of Manitoba's and BC's. Just bear in mind: Alberta, Manitoba, the province of British Columbia don't grow tobacco there. They don't process tobacco in those provinces. They don't suffer the kind of job losses we would see in Ontario.

Further, Bill 2 hits so many groups in our society, and again that's why it wears the moniker of the largest-tax-hike-in-Ontario-history bill. Very clearly, Bill 2 also calls for the elimination of the previously legislated seniors' tax credit. I think we can all agree that we in Ontario owe so much to our seniors, our grandparents, our parents, aunts and uncles. They are the builders who created this prosperous province that we all enjoy and that we call home. Seniors have worked long and hard and have collectively paid billions and billions of dollars in taxes over the course of their working lives. In fact, they are continuing to pay, even after leaving the workforce. There are almost a million senior-citizen households across Ontario, and in half of them the annual income is under \$25,000 a year. That applies to a large number of people in my riding. I talk to these people at the door.

More than 80% of seniors' households have yearly incomes below \$50,000. Ontario seniors have earned our gratitude and the right to a safe and secure retirement but, for many, rising costs such as property taxes eat into their fixed incomes. The seniors' tax break process, the legislation that was passed last spring, was designed to be simple and to provide property tax relief to all seniors



regardless of their income or economic status—relief to all seniors, whether they own or rent their homes.

As I mentioned, senior citizens have contributed so much to all of our lives, and that's why the Eves government passed the seniors' tax credit into law, to give them something back and to make it easier for seniors to remain in their homes. I do want to reiterate that this tax credit was passed into law, meaning that seniors across this province were expecting that tax credit in the coming year, meaning that any move to rescind this credit would create higher taxes, in spite of what Mr McGuinty told us over and over again through his well-publicized television commercials during the election.

Here we are, debating a bill that will rescind the seniors' tax credit with a government that continues to contend it's not raising taxes, a government that continues to contend it's not breaking its promises.

We all in this Legislature have just completed a month or two of door-knocking, something that I enjoy doing, primarily when the House is not sitting. I usually door-knock in the winter and in the summer, and certainly since last June at the door—and it's usually during the day that I'm door-knocking—invariably speaking with two broad groups of people, often young mothers with children, and if not young mothers and young families, retired people. With younger families I invariably had the opportunity to chat about the benefits of the program that we proposed with respect to mortgage interest deductibility. Again, most people I chatted with were aware that mortgage interest deductibility has been available in the United States, to my knowledge going back at least 25 years. The Eves mortgage interest deductibility plan would give all Ontario homeowners an income tax break by very simply allowing them to deduct the interest on their mortgage from their income tax. The estimated savings, once it was fully implemented: \$500 a year in provincial income taxes not paid.

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Owning a home truly remains the Canadian dream for most Ontarians. A home mortgage is the largest debt most people will ever have. Our mortgage interest tax deduction would help more Ontarians realize that dream. I feel this is what society is all about, certainly in my rural riding of Haldimand-Norfolk-Brant: to encourage, through government policy, young couples to not only form a family but to start building a home.

In door-knocking, again, usually during the day, during the afternoon, who else do you find at home? Many dogs, of course. Who else do you find at home? Retired people, older people, people approaching the age of 65. We would have what I considered a very productive conversation about the seniors' property tax credit, a credit available through legislation, not only for those people who own their own home, but for those people who rent.

I'm sure many Liberals here in the House have had conversations on people's doorsteps as well. I know Liberals promised people at the door that the 4.3 cents per kilowatt hour was carved in stone. As Liberals went

door to door and talked to seniors, who knows what they told them about the seniors' property tax credit? After what we've seen in the past few weeks—there's always that assumption that a Liberal will say anything to get a vote and then we see some changes once they're in.

Again, going back to seniors, after a lifetime of contributing to society, seniors deserve support in being able to stay in their own homes. Legislation that remains in place today, as we speak, would eliminate that provincial portion of the property taxes for seniors—again, whether they rent or own. For the average senior household, this would mean an annual saving of \$475 once that legislation was fully implemented. Yet Bill 2, which we debate this afternoon, would reduce that credit to zero, essentially meaning higher taxes for seniors.

Many people at the door were neither young people nor seniors. They would explain to me, "Well, what are you going to do for me? My mortgage is paid off; it will be many, many years before I turn 65." Of course, this presented me with the opportunity to explain our promise to extend the Taxpayer Protection Act to municipal councils. This was the act supported by Premier McGuinty, recently signed by Premier McGuinty, much to the delight of John Williamson of the Canadian Taxpayers Federation, because the signature means a commitment to balanced budgets and no tax hikes. I do understand that more recently, Mr Williamson, according to the *Toronto Star*, has now labelled the fiscal responsibility bill, the one we're debating this afternoon, "a regrettable first move by government." Going back to the extension of the Taxpayer Protection Act, it would cover municipal taxes. We would see a situation where councils would not be able to raise taxes or introduce new taxes without getting the permission of the people.

**The Acting Speaker (Mr Ted Arnott):** Questions and comments?

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** I ask my friend opposite: Where did the reckless Tory tax cut get us? The answer is clear: \$5.6 billion in structural deficit. Bill 2 is an important step in meeting this government's commitment to get the province's fiscal house in order, so that we can provide good health care, quality education and a clean environment to start. We are not going to build our children's future on a house of cards.

Unlike the last government, we have been clear in our plan. We went to the people during the long month of October. We brought them our plan for achieving the potential that Ontario deserves. We told them, "We're going to cut out private consultants; we're going to ban partisan advertising; we're going to roll back the corporate tax cut; we're going to cancel the private school tax credit; we're going to rescind the seniors' tax credit; and we're going to collect unpaid corporate taxes." You know what happened? We got a large mandate from the people of this province, and in my case from the people of the community of Etobicoke-Lakeshore, and we are going to meet our commitments in that regard.

I agree with one of the things my friend opposite said, and that is that we do owe our seniors. We owe them a debt of gratitude for what they have contributed to this community and we owe them a good, quality health care system. We owe our seniors long-term-care facilities that are accessible and attainable. We owe our seniors nursing home standards and we owe our seniors clean air and clean water. I too knocked on many doors in the community of Etobicoke-Lakeshore and spoke to many, many seniors. Many of those seniors came to this country to make sure that the next generation would do better than the last. They understand the importance of a strong, quality public education system for the future of our province. We will deliver on that commitment.

**The Acting Speaker:** I recognize the member for Simcoe North.

**Mr Dunlop:** Thank you very much, Mr Speaker. I also congratulate you for your position here today. I know you'll do an excellent job.

I want to congratulate my friend from Haldimand-Norfolk for an excellent presentation.

It's really interesting to hear the pros and cons and comments from each side of the House. I watched a lot of the ads on TV during the election campaign and—

**Hon David Caplan (Minister of Public Infrastructure Renewal):** You should have been knocking on doors.

**Mr Dunlop:** We don't knock on doors on Sundays and that type of thing. It's just the way we do it. We're very polite that way with the public. We don't do a lot of negative-type things in the riding of Simcoe North.

You know one of the things I noticed on the ads? There was a guy, a tall, thin fellow, who might have been the Leader of the Opposition at that time, and I think his name was McGuinty. He had continual ads on TV. I remember him making the comment, "I will not raise your taxes." Did anyone else hear that? I don't know, maybe Mr Miller heard it in Muskoka. We've got good TV reception up there. It was on all the stations, "I will not raise your taxes." I think we've even kept clips of that.

Now we're looking at Bill 2—no, that's the bogus review—the Fiscal Responsibility Act, the largest single tax hike in the history of the province of Ontario, the largest by far, by over \$1.5 billion; the largest single tax increase in the history of this province. "I will not raise your taxes." I heard it over and over and over. I would say that Mr McGuinty has not kept his word and I think it will haunt you folks for the next four years, as you continue to break promises over and over. Remember those words, ladies and gentlemen: "I will not raise your taxes."

**Mr Khalil Ramal (London-Fanshawe):** It's funny when you hear on a daily basis the past government talking about tax increases. They're asking what we told the people at the door. I'm saying this to Toby Barrett, from Haldimand-Norfolk-Brant. When we knocked on doors, we talked to the people. We told them we were going to cancel the senior tax credit for education. We were honest with them. The seniors in this province are

not looking for a couple of hundred dollars per year to save; they're looking for better health care, better homes, and to live with dignity and respect. We also heard a lot of talk about the education tax credit for private schools. Our friend from the NDP campaigned—

**Mr Marchese:** Name the riding.

**Mr Ramal:** OK, from Spadina. They campaigned and talked a lot about that issue, to cancel the private school tax credit, and when we proposed it and introduced it, they voted against it. What a conflict of interest. It seems my friends on the left side always like to be on the opposite side of whatever we do, regardless of whether or not that issue is good for the province of Ontario: If it's good for the province of Ontario or not, always be on the opposite side.

I would tell everyone that we will keep working toward a better place to live, a better province under Dalton McGuinty and his government.

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**Mr Gilles Bisson (Timmins-James Bay):** My God, I thought that was rather interesting. I was watching that from my office while I was meeting with the OPFFA in regard to the issues that they bring before us today. As you know, the firefighters are here today lobbying various members of the Legislature, and I just want to remind the members that they should be trying to get down to talk to the firefighters, who are going to be downstairs a little bit later.

I've just also got to say that this whole debate is a rather interesting one, because we find ourselves in a bit of a funny spot—and I mean as legislators, not me as a New Democrat or as the member for Timmins-James Bay. We've got this situation where basically the Liberals are moving forward on what is part of their campaign commitment, which I can support, which is the reduction or the rollback of some of the tax cuts that the Tories put in place.

**Hon Mr Caplan:** How will you vote on this bill?

**Mr Bisson:** We supported that. There are some things in this bill that, quite frankly, we're going to talk about a little bit more at second reading when I get my chance for debate.

I just want to say this, because I think it's important: If you take a look at all of those jurisdictions in the United States that have gone the route of the tax cut as the panacea for economic development, 41 of the states that have gone that way are in a deficit situation currently.

**Mr Dunlop:** Come on.

**Mr Bisson:** Well, no, that's the reality. I see the Tories going, "Come on." Garfield, go and read the numbers. That's what it comes down to. It's really telling, and it's interesting, because if we also look at the United States government centrally, where George Bush has been a big advocate of this particular policy, we find the same situation, where the American federal government finds itself in a huge deficit situation. The numbers there are coming to be seen as a bit of a basket case. I just say that it's starting to prove after about four or five years—well, it's actually been about eight years—that this whole



mantra that tax cuts generate growth, generate wealth, quite frankly has been shown to be in disrepute, because if we take a look at all the jurisdictions that have gone that way, they find themselves in a deficit situation.

**The Acting Speaker:** I'll now turn to the member for Haldimand-Norfolk-Brant to reply for two minutes.

**Mr Barrett:** I thank the honourable members, door-knockers all, for their comments on Bill 2. Again to summarize, what we see is a dizzying array of measures to make people pay more money to government: cancelling the seniors' property tax rebate, as I indicated; cancelling planned income tax cuts in the coming year; scrapping the tax break for parents who send their children to independent schools; jacking up tobacco taxes; raising taxes on incorporated businesses.

The member for Etobicoke-Lakeshore said it's essentially to pay for what we refer to as the phony deficit, an orchestrated announcement, an announcement that was made the day after they paid former auditor Peters to say what he said. A \$2.8-billion-a-year increase in tax revenue—again, the member for Simcoe North is right when he labels it “the largest single-day tax hike in Ontario history.” We all saw those television commercials with the leader opposite's misleading mantra over and over again, “I won't cut your taxes, but I won't raise them either.”

I will point out that the members for London-Fanshawe and Timmins-James Bay made reference to these measures as not so much a tax cut but a reduction or a rollback. Very clearly, what we're seeing here are increases in taxes. I've always felt that a government that makes its own people pay more money to that government is a government comprised of tax hikers. That's exactly what this bill does. There's no doubt that Bill 2 will force more people to pay more money to their provincial government. This is a tax hike by any other definition.

**The Acting Speaker:** Further debate?

**Mr Marchese:** I'm happy to have this opportunity to speak to this act respecting fiscal responsibility, so-called. I want to welcome the citizens of Ontario watching this political forum. We're on live. It's a quarter to 5. I know you're looking forward to seeing New Democrats getting up on a regular basis to debate because you are looking for this point of view, and desperately need and will need it on a regular basis as we go along. We are looking forward to that opportunity and to the House leader of the Liberal Party, in consultation with his leader and, presumably, the caucus, giving us the rights that we deserve in this place.

I want to say three things. I'll be dividing my comments into three parts: first, why we oppose this bill; second, why we support the amendments here; and third, why we think they are inadequate, and link them to some of the promises you made that we, New Democrats, are so happy to attack.

First, why we oppose this bill: As some of you know, we didn't get status in this place. We don't have eight members, and we now suffer the ignominy of being

called independents by Liberals on a regular basis, where they diminish New Democrats as mere puny independents in this place. They do not fail to offend as regularly as they can this magnificent caucus of seven New Democrats.

Not having status in this place has reduced us to the following: This government refuses to give us the bills in advance so we can read the bills. We don't get them. They're not before us. They do not want us to see the bills. They do not want us to debate.

Mr Mike Brown has just joined us, the member from Algoma-Manitoulin, an experienced member who just did this with his hands. You see the arrogance of someone who has been around this place, how quickly he dismisses those who were once his colleagues on the opposition benches.

**Mr Michael A. Brown (Algoma-Manitoulin):** Let's not get carried away.

**Mr Marchese:** I tell you, Mike Brown from Algoma-Manitoulin, hubris will kill you. It will bring you down. Hubris will not only bring you down, it will bring many of your ministers down, particularly your House leader, who displays a tremendous amount of hubris. I warn and caution the member. I think a little more modesty would look good on him. But that's advice I offer from the backbenches, the exterior backbenches of New Democrats back here. But God bless, the cameras can catch us. We're still here. It doesn't matter where you are, you citizens can see us, so not to worry. We will debate and you will hear our views.

Not having status means and meant we don't get the bills in front of us. The Liberals are quite happy to stand up and say as regularly as they can, “New Democrats voted against the bill. Why did you vote against the tax credit?” New Democrats do not support any bill that's not put before us in time for us to be able to read the bill in order to comment on the bill.

*Interjections.*

**The Acting Speaker:** Will the member take his seat? I'm having difficulty hearing the member for Trinity-Spadina and would ask all members to please behave themselves.

**Mr Marchese:** Speaker, I enjoy the interplay. Please, not to worry. I love that. Don't worry about me. I love to be heckled by the member from Algoma-Manitoulin, my friend from Eglinton-Lawrence and others. When they chuckle and laugh, it makes me feel good. I like it. Please, continue. Speaker, leave them alone, all right? It's part of the pleasure of this House to have that exchange. Please.

So we don't get to read the bills. I don't know what the member from Algoma-Manitoulin was saying, but we don't get them.

Now, his deputy House leader might say, through the grace of whatever divine intervention, “They need party status. They are a party. We will recognize them as such, and they will have all of the obligations and responsibilities of a third party in this place.” We're looking forward to that. We know that those 15% of you who

voted for us are looking for a voice to represent your views, and not just the 15% who voted for us, but all those left-leaning Liberals and, oh yes, those so many New Democrats who thought that voting strategically was a good thing. It isn't just the 15% that voted for us; it's the many left-leaning Liberals that are going to be so unhappy with the litany of broken promises that keep on rolling from day one to day who knows when.

**1650**

So we oppose that bill. Now, I want to tell you good citizens watching why I support some of these measures.

*Interjections.*

**Mr Marchese:** I did my best to offer a rationale which I was thought was intelligent, but if it doesn't please you, what can I do? We'll move on to the next part of my comments.

See Mike Brown from Algoma? He's amused, and that's good. That's what I like to see; I'm glad that you're amused, member from Algoma-Manitoulin.

The measure to repeal the tax credit for private schools was good, and I hope that those Liberals that supported that measure feel as good as the rest of you, because within your Liberal ranks you had many of them, of you, who thought that giving tax credits to private schools was a good thing. You cannot, could not—Mike, please, I'm sorry to tell you this, you're on the record. Most of you are on record.

*Interjection.*

**Mr Marchese:** Your Minister of Education was on the record in 2001—sorry. Monsieur Kwinter, the Minister of Community Safety and Correctional Services. Mon ami Mr Bryant, the Attorney General, said, "You just can't suck and blow at the same time." Please, do you want me to go on, my colleague? Please, member from Eglinton-Lawrence, come on.

I've got to tell you, most New Democrats were unanimous in our opposition to the bill that the Tories introduced to siphon public dollars and bring them to private schools. It was wrong—politically, socially, philosophically dumb and wrong.

**Mr Mike Colle (Eglinton-Lawrence):** Why are you voting against the bill?

**Mr Marchese:** Mr Speaker, for five minutes I give a rationale as to why we oppose it.

**Ms Shelley Martel (Nickel Belt):** Repeat.

**Mr Marchese:** I can't go back and repeat. Please.

So you're getting \$100 million back by repealing the tax credit for private schools—that's good. I know most of you bought into the idea that Monsieur Kennedy, the Minister of Education, and the Premier said, "We're going to get back \$500 million." Please, you don't.

**Mr Colle:** Eventually we get to that.

**Mr Marchese:** You're quite right, member from Eglinton-Lawrence. In its fullest implementation, it could be \$300 million. It could have been. But you got elected. Only \$100 million has gone out and that's all you're getting back. So, please, it's part of telling the truth around this place, right? It's part of character education. That's what character education is all about. And I'm

happy you're introducing that in the school board, because part of character education is that you should be honest, truthful, not telling lies. That's why I here present the correct version of how much money you're getting back versus the Liberal thing that you're getting 500 million bucks back.

So you're taking the \$100 million back because you need the money, and you need it right away.

**Mr Ramal:** It's not just the money.

**Mr Marchese:** Of course, you're quite right. The member for London-Fanshawe says it isn't just the money. No, no, the philosophy of it is much more predominant in your caucus that—

**Ms Martel:** Ask Monte Kwinter what he thinks about that.

**Mr Marchese:** I already mentioned him.

**Ms Martel:** Michael Bryant? Did you mention him?

**Mr Marchese:** I mentioned him as well.

**Mr Michael Prue (Beaches-East York):** What about Alvin?

**Mr Marchese:** Alvin Curling made a mistake; he didn't mean it. Anybody can make mistakes; I agree to that, I understand that.

So my point is, yes, repealing the tax credit was and is a good thing, and getting the money back as quickly as you can, God, is that ever good. Because you need it, you desperately need it.

And as it relates to the corporate rollbacks, it's a good thing. We need to say to our communities and to the corporations, "You too have a responsibility to pay your fair share of our social obligations. You can't escape that." Because if we don't tax the corporations—and I'm saying to you as we, many of the New Democrats, have said, we're not paying enough, they're not paying their fair share. It's all about fairness.

**Mr Peter Kormos (Niagara Centre):** How does Paul Martin get away with it then?

**Mr Marchese:** Because there's a scheme that is legal, where you can have a company here and hire people there at minimum wage or less, and then move your operation to all sorts of different little countries that give you the tax protection you need. That's how you become a billionaire.

**Mr Kormos:** Is that how you become Prime Minister?

**Mr Marchese:** You also, by corollary, can, not necessarily so, become a Prime Minister.

**Mr Kormos:** Then you can buy the position.

**Mr Marchese:** You can certainly spend a whole heap of money and influence, because money is power, and power is money.

**Ms Martel:** Do you think he's going to change that now that he's PM?

**Mr Marchese:** I don't think Paul Martin's going to change one single iota. Jack Layton is going to be right behind him.

**Mr Colle:** Stop heckling your own member.

**Mr Marchese:** Member from Eglinton-Lawrence, this isn't heckling; this is participation. New Democrats like to participate with each other. It's a way of assisting each



other in getting through the debates in this place from time to time.

So the corporations and the corporate sector have to pay their fair share. Sorry, you can't escape that. You can't, because if they do not meet their obligations, then yes, Mr Paul Martin, you've got to meet your own, and you will soon. I know you're flying high, but it won't take long, because if you do not pay your fair share, then you're coming after me and then, most particularly, you come after those who earn 60,000, 50,000, 40,000, 30,000 bucks.

We New Democrats believe that it's wrong to put the fiscal burden of our social obligations on those who have least to pay because they make so little. So we argue with you that what you've done is good. You certainly haven't gone far enough by other measures that you should look at. We said during the campaign that corporations, whether they are rich, profitable or not, up to their first \$400,000 don't pay one cent. That's wrong. We say it's wrong.

If a corporation is earning good money and they're a big, profitable corporation, why would we exempt them from paying their fair share of the money we desperately need for our health care system, our social services, and our elementary, secondary and post-secondary education? Why would we do that? Unless we convince Ontarians that we need to reach out to the corporate sector on a much more regular basis for them to pay their fair share, it will be unsustainable for us to continue to keep our social infrastructure.

You see, you don't have enough money. You knew that before the election and we told you before the election. How many times did I debate with your Minister of Education at teacher federation meetings where I said to him, "Look, you can't do it"? I used appropriate words there that I can't here. You understand what I'm saying.

**Mr Ramal:** We get the message.

**Mr Marchese:** I thought you would.

So I said to Kennedy, "You can't do it"—and I'm being polite. You understand that too. I said, "Here's why you can't do it. Monsieur Kennedy, you recognize and your party recognizes that we have a deficit." Yeah, he would say that. And you Liberals knew that the deficit was anywhere near from \$2 billion to \$4 billion. Other members who are a little more prescient than some knew that the deficit was greater. In fact, two of your member—Monsieur Phillips, the Chair of the Management Board of Cabinet, who now is simply trying to run away from that June Hansard report where he is on paper saying you've got a \$5-billion—what does he say, "crisis"?

**Ms Martel:** Risk.

**Mr Marchese:** Oh, risk.

**Mr Prue:** Don't forget September TVO. He said the same thing.

**Mr Marchese:** And in the September TVO that year, 2003, he said pretty much the same thing. Now, Gerry, the member from Management Board, says you have a \$5-billion risk factor. It's a deficit, really, what he's

talking about. And no matter how you embellish it, that's what he was saying. To give him credit—and I want to give him credit on a regular basis. I don't hide from that. The member who has been so visionary, prescient I say, ought to be recognized for those skills. And why he would run away from that today when he didn't then, I don't know. But he knew there was a \$5-billion deficit, and most of you knew that we had a deficit that was close to \$4 billion that one could account for. Let me tell you how.

1700

**Mr Colle:** The Premier told us there was nothing.

**Mr Marchese:** Member from Eglinton-Lawrence, I know, please. They told us no and you said, "Yes, you do," and I said, "Yes, you do." All right, let's agree on what you and I agreed to then, that we knew about, member from Eglinton-Lawrence. We knew in their financial statements that they had a \$2-billion problem. Yes? Yes. And that they had to sell assets, and we said, "What assets are you going to sell when you get into power?" We said that as well. You also knew that there were about \$700 million to \$900 million in ministry reductions, ie, cutting more programs. You knew that. That was still there. You also knew at the time there was a \$600-million Hydro problem that was hidden, but we were well aware that the cap was producing a \$600-million debt, which is now \$700 million and growing.

**Mr Colle:** But they said it was to be revenue-neutral.

**Mr Marchese:** I know. They said that and you and I were saying, "Let's add up the numbers." And then we add up SARS, correct? When you add up all these things, you easily come up with a \$4-billion problem, correct? Right.

**Ms Martel:** No, \$5 billion.

**Mr Marchese:** Maybe I'm not as good in math as the rest of those of you who can count better, I don't know. But I'm coming close to four billion bucks. Gerry was a little more effective than the rest of us, because he was a finance guy, right? And he said it's \$5 billion. Did you not believe him? I did. This is what Monsieur Phillips, the member for Management Board, said: "I simply want to know because we're adding up the risks associated with this budget, and we've come to \$4.2 billion, and here's another \$770 million, which gets us up to a \$500-billion risk."

**Interjection:** It's \$5 billion.

**Mr Marchese:** Yes, \$5 billion; what did I say?

**Ms Martel:** You said \$500 billion.

**Mr Marchese:** No kidding. That's what I meant to say: \$5 billion.

**Interjection:** Risk.

**Mr Marchese:** Yes, I know, risk. Please, don't play with that. A \$5-billion risk is a \$5-billion deficit. Come on. We're dealing with intelligent people in this place, by and large; we are. So a \$5-billion risk in my mind is a \$5-billion deficit.

I said to Monsieur Kennedy, the now Minister of Education, and Monsieur Smitherman, with whom we've debated once on channel 26—talk about hubris, holy

God. You should have seen him that day on that program. I said, "You can't keep that promise of reducing class size to 20 in grades 1, 2 and 3. And do you know why? Because that promise costs anywhere from \$400 million, which is your number, to \$1 billion, which was the Tory number, because they had access to a better understanding of those costs. But let's just say they're wrong and you're right and it's \$400 million." I said to you and to him, "You don't have the money. We have a big deficit. You've got \$6 billion to \$7 billion in promises and you signed that dumb taxpayers pledge to say no increase in taxes and you said you're going to balance the budget. How can Liberals do that?" I said, "You can't do it. You are"—you know what's coming, right? You know what I want to say. You understand what I'm trying to say. You can't do it. So then you come into power and you say things like some of your members said yesterday: "In order to do that we have to deal with the fiscal imbalance that is before us. Unfortunately, we have to deal with that reality and we just can't hide our heads in the sand and pretend it doesn't exist." But you knew it existed.

So I say to you, there will be no *tabula rasa*. Rosario Marchese is going to remind you day in and day out that your election promises were based not on myth but the words I cannot say in this place. And that's why we'll be here to debate you over and over again on your election promises, why you haven't kept them and why you made them in the first place.

**The Acting Speaker:** Questions and comments? I recognize the member for Thornhill.

**Mr Shafiq Qadri (Etobicoke North):** Not quite, Speaker. Etobicoke North.

**The Acting Speaker:** Etobicoke North. I apologize.

**Mr Qadri:** But we'll take Thornhill next time too. First of all I would like to thank my honourable colleague Mr Rosario Marchese, the MPP for Trinity-Spadina. I actually had the occasion to emcee a function just yesterday for the Ministry of Citizenship and Immigration. It was an awards ceremony and we actually awarded a number of individuals for their theatrical abilities. I would like to submit the name—with your permission, member from Trinity-Spadina—for next year's honour roll for his wonderful theatrics and entertainment.

But I must say it seems that that's perhaps the most substantive element of what my honourable colleague's remarks entailed. For example, he expended a considerable amount of time derailing the federal member, Mr Paul Martin. I would suggest, sir, that you have picked the wrong House of Parliament to do that. I would suggest you may speak to the various powers that be. I understand there's a federal election in the offing and I would welcome your participation and would be a fundraiser for you in that endeavour.

Secondly, I think it's really a matter of philosophy and also of positioning of our government to put people first. This is I think a departure from what the previous regime, the previous administration, the previous junta, actually attempted to execute. We have here a social deficit as

well, which is predicated on the financial deficit that we inherited. You can certainly cross-question the numbers, you can cross-question the timing of knowledge, but that is the reality that we in the government have to deal with.

We welcome your closet Marxism, we welcome your theatrics, we welcome your all the time attacking corporations and taxing everyone in sight, but we in the government have been given that mandate, and that is what we seek to discharge.

**Mr Dunlop:** I'm pleased again to be able to rise this afternoon and say a few words. I want to again congratulate Mr Marchese on his successful election. There's no question that Mr Marchese is one of the most colourful members of this particular Parliament and he adds a lot to it. That's why I fundamentally believe that Mr Marchese and his party do in fact deserve party status here. It's not that I believe in any of their policies, but I do believe in democracy. I believe that when 600,000 people—probably closer to 650,000 people—in Ontario vote for people who are running for the New Democratic Party, those people and the party deserve the research money to continue on as a party.

I see Mr Bryant in the House and I know he's the minister responsible for democratic renewal. I'll be very interested in any policies you make or any legislation that you bring forward. I certainly hope you will bring fairness to that. Quite honestly, I don't think the Premier has treated the New Democratic Party very fairly. I'm hearing that all the time from people who are not Dippers and not Liberals and who knows what they are. But I'm telling you one thing: They certainly do not agree with what has happened here.

Anyhow, it's good to bring comments. Again, I congratulate him. Although I don't agree with his policies, I do think he adds a lot of colour to this House.

**Ms Martel:** It's always a pleasure for me to come and listen to the member for Trinity-Spadina. He's always entertaining, he always tells the truth and he always livens things up here.

I just want to reiterate a couple of the things he did say. It's astonishing to me that the Liberals can come to this place now and pretend they knew nothing about a \$5-billion deficit. It's astonishing that the Liberals can come and stand in their place and try and say, "We can't do what we promised now, all those 231 promises we made, because we have a deficit that we knew nothing about, and now our hands are tied."

1710

Please, Speaker. Gerry Phillips, esteemed finance critic for the Liberal Party—a member who's been here a long time, longer than me, and I've already been here 16 years—is down in the estimates committee on June 3 and they're talking about the Tory budget that was presented at the end of March. Mr Phillips says very publicly, talks very openly, about a \$5-billion risk. Everybody who was there, and everybody who watched, knew that he was talking about a \$5-billion deficit. You couldn't be mistaken.



But Gerry Phillips wasn't the only one who talked about a \$5-billion deficit before the election, because Monte Kwinter said to the Canadian Press on August 13—here it is: "Liberal MPP Monte Kwinter, York Centre, accused the government of hiding the fact it has a growing deficit that could reach \$5 billion." That's what Monte had to say publicly before the election was called.

The question you folks have to answer is, why did you go out and make 231 promises after you knew there was going to be a \$5-billion deficit, and why are you now trying to hide behind that deficit as you break promise after promise after promise?

**Mr Colle:** Again, on behalf of my colleagues, I certainly want to thank the member from Trinity-Spadina for his advice.

It strikes me as strange that we have members of the New Democratic Party telling us about this deficit. It's all they're talking about. I don't recall, when we sat on that side, that they even mentioned the D word, that they were concerned about a looming deficit. Now all of a sudden they say, "Mr Phillips said this at estimates; Mr Kwinter said this." Remember that when they made those warnings there was not even a whisper from the New Democrats at that time. Now all of a sudden they say, "You should have worried about the deficit. We knew there was a deficit." But, as you well know, there were many guesstimates, many pundits, and most of them said it was about \$2 billion maybe. To this very day, the Conservatives still deny there is even one cent of deficit, and the whole Ministry of Finance behind them. All of their hordes kept on saying, "Deficit? Tories? We don't have one."

Now we see the former Minister of Finance and Premier saying, "What?" He doesn't even admit today there's a deficit, and they never for one minute gave any hint that there was a serious financial problem. If you recall, they said things were great in Ontario. Every day they made an announcement about another \$100 million they were going to spend on this road, this bridge, all in their ridings. They never stopped making announcements. "Everything is rosy in Ontario," because tax cuts were going to solve everything. At least we said, "You can't do it with tax cuts." We said that we had some things that we'd like to have done, and our intentions were to fix education and health care. Yes, we made some commitments that we're going to do those things for the reason that we saw the need in Ontario. That's why we made those commitments and said, "We don't want those tax cuts. We're going to fix the things that need fixing." Now all of a sudden, "You should have known about this deficit." Everything was definite at that time, after the fact, whereas if you take us back three months, who even commented on Mr Phillips' comment—

**The Acting Speaker:** Thank you very much. The member for Trinity-Spadina has two minutes to reply.

**Mr Marchese:** I thank friends and foes in this place.

First, to the member from Etobicoke North, I spent only a couple of minutes to talk about Paul Martin,

probably a minute, not a considerable amount of time. Thank you for the reference about being a Marxist. In the old days, you guys used to call us Communists. I thought that was dead a long time ago, but you are reviving this old thing about Marxists. Anyway, thanks.

What else can we say? I'm glad, by the way, you're entertained by me; that's good. If you want to nominate me to any theatrical company, that's fine too.

Member from Eglinton-Lawrence, please, let's be clear here: New Democrats said there was a deficit, as I outlined, similar to the way Mr Phillips outlined then. We said it publicly. Howard Hampton, our leader, said it publicly on a regular basis. It wasn't just he or Mr Phillips—I don't know about the Premier; I don't quite remember—but the Fraser Institute indicated that we had—

#### *Interjections.*

**Mr Marchese:** They're not my buddies. They're not my friends. But they said there's a deficit approximating \$4.5 billion. Please, we all knew.

My point is this to your comments: While you said the Tories denied, and I agree with you, you and I knew there was a deficit, and we New Democrats said, "Look, the numbers don't add up. We need new revenues," more than just the revenues you talked about, that we would implement. More. That's why we talked about introducing an education excellence fund that would raise \$1.5 billion by taxing two categories of people who were earning over a hundred thousand bucks. We recognized they were the biggest beneficiaries of the income tax cuts and we were asking them to pay some money back. Our system needs money and we recognized that we couldn't do it without additional revenues. You didn't do that. You promised so much, knowing that you didn't have the money, and that was wrong. That's what we say.

#### **The Acting Speaker:** Further debate?

**Mr Colle:** I certainly welcome the opportunity to follow my colleague from Trinity-Spadina and I think he's set the stage for a good response, which I hope I can give. I think he made some very good points.

The point I would like to make first of all is that what this bill is about is really a response to what you just raised. We knew as a party that we could not proceed with the reckless tax schemes of the former government. For the first time in the history of Ontario, we, as a party, actually went out there and said boldly and bluntly to the people—and our leader, Dalton McGuinty said he was going to roll back the corporate tax cuts. He said to seniors—and it was tough going to seniors in our ridings, and you know full well the stress that they are under after working a lifetime—"Sorry, we cannot support that tax cut that they offered to seniors," because of the fact that we needed money for schools. Also, as you know, it had no income barrier to it. In other words, the very wealthy seniors would get probably more than the working seniors.

So we went out there and, I think, did something unprecedented. We said, "If you elect us, we are actually going to roll back these tax schemes that they promised

to you.” In the last three provincial elections I’ve been involved in and the number of municipal elections I’ve been involved in, I can’t remember when, as a party and as a leader, we went out there very clearly on the platform of saying exactly what we have before us today, which is Bill 2.

As much as there is a great deal of consternation about this lack of our being aware of this \$5.6-billion deficit, at the point in time when we went out to seek the support of the people of Ontario, we took a gamble. I think the Speaker will agree. When do you go out as a politician and say, “We’re going to roll back corporate taxes”? The member from Aldershot, Carlisle and everywhere else there—Ancaster, the former mayor of Flamborough—knows there were some schools in his area that were promised that equity tax credit. For him, as a Liberal, to go out there and say, “Sorry, we need the money,” because our public school system, and you’ll agree, was in crisis—at a point of collapse in some such situations. I think the Toronto board, the Hamilton board and the Ottawa board are good examples.

So we said to some needy people too, because not all people who send their children to private schools are wealthy—and in my own riding, it was the same thing. I had to go to their doors and say to them, “Sorry, I can’t support this equity tax cut that the Tories are offering you.” We lost votes because of that, but we felt that we had to say clearly that we couldn’t afford to give them this money for their child or children going to private schools. I think that was difficult for a lot of us to do, whether it was on the private schools or the seniors thing I talked about before.

1720

Now, today, in legislation, the Minister of Finance has brought forward a bill which is a fulfillment of, I think, the core of our platform. In essence, it was quite refreshing. Because when I was visiting people, talking to people and going to the local coffee shops, I asked them, “What do you think about these ideas?” I was pleasantly surprised, as I think a lot of us on this side were, that the people of Ontario have really come a long way. I remember the first two elections when the same tax-cut schemes were promised—the \$200 thing by former Premier Harris. They promised those schemes and people said, “Yes, give me that \$200. Give me a tax cut, tax cut.” People were somehow hoodwinked by the political machinery of the Conservative government.

**Mr Marchese:** A billion bucks.

**Mr Colle:** Yes, and they voted for them twice.

This time, I said to myself, “God, I hope they don’t fall for it again.” But the people of Ontario proved to be much smarter than all the backroom whiz kids the Tories have, because they said very clearly and eloquently—people of all income brackets.

My riding of Eglinton-Lawrence is somewhat like yours. In the south end, you have some pretty sophisticated people with a good income, and then you’ve got working people, and you’ve got the Annex. Eglinton-Lawrence is much the same. We have a diversity of

people. But it didn’t matter whether you were a person on a marginal income or a person at a very basic job making a living or you were a sophisticated lawyer or doctor or whatever it is; they all said the same thing. They said, “Don’t give me that tax cut stuff. I’m not voting for the tax cut. I’m voting for you guys because you’re saying no to the tax cut schemes.”

I remember one morning at the subway stop at Bedford Park and Lawrence. I was just standing there as people were getting on the subway in the morning going to work and this woman came up to me. I thought for sure she was going to give me an earful of something. But she charged up to me and said, “I’ve been a Tory all my life and I’m a corporate tax lawyer. For the first time in my life, I’m going to vote for the Liberals because the abhorrent”—and she used some words that you don’t usually hear at 7 o’clock in the morning at a subway stop. This is a Tory tax lawyer. She said, “I, in conscience, as a tax lawyer, as a citizen of Toronto, cannot support these cockamamie tax schemes being offered to the people of Ontario. They’re devious, they divide people and they destroy the very fabric of Toronto and Ontario.” That was the private school tax scheme. Then she railed on.

The members on the other side don’t mention that other thing. The worst scheme of all was probably the mortgage scheme, where they were going to basically give everybody in Ontario a hundred bucks off on their mortgage just to buy their votes. She put it very succinctly. She said, “There is no way that I, in conscience, as a responsible citizen, as a person who understands something about tax law, would in any way want any government to go down this road, with these tax schemes” that were being proposed as the core part of their platform.

On the other hand, we were, as I said, very clear about this commitment. We said that we would get rid of those one at a time. We had to do that, not because we didn’t want to give people a tax break and not because we didn’t think people needed some tax relief, but we said, “There are priorities.” The priorities that we had seemed, day after day for eight years, abundantly clear to us. We saw what was happening in the devastation in our hospitals, in our emergency rooms. I don’t know if any of you have seen it, but I saw the heart ripped out of my community when the former government closed down Northwestern Hospital in my riding. That literally left people without a hospital to go to, and they’re still without that hospital. They essentially devastated the health care system. We knew we needed money for that.

The schools: In my riding, and I’m sure in all your ridings, we have some of the finest public schools in North America. I’ve got schools like John Ross Robertson, John Wanless, Blessed Sacrament, Lawrence Park, D’Arcy McGee. Whether you pay \$25,000 for a private school or you go to one of these public schools, they are, bar none, as good as any school. To see, walking into these schools, that they couldn’t even afford paint. They had to get rid of the English-as-a-second-language teacher. The special-ed students didn’t have their support



staff. The teachers were under siege for eight years. You had to run the water in the bathroom at some of the schools for a half-hour before the rust came out of the pipes. This is Toronto, this is Ontario, in the middle of an economic boom that we've never seen before. We go into schools and there's paint peeling.

Margaret Wente wrote a column about this in the *Globe and Mail*. She even said she was ashamed to see the deterioration in our basic institutions left by this government—schools, our cities. The condition of our cities' infrastructure was allowed to rot by this government.

That's why we went to the people of Ontario and said, clearly and unequivocally, "We can't afford to give you those tax-cut breaks promised by the former Conservative government because we have priorities in education, we have priorities to fix in health care, to fix in our schools, never mind the seniors and homecare. We had a list of needs that was a mile long. That's why we had to be very frank and upfront with the people of Ontario, and we were. You can't—member from Trinity-Spadina—disagree that we did state categorically we were going to be against those tax cuts. That's why we thought we could get some money—I know we argue about how much money was in that. But there were literally billions of dollars that we could keep in our schools, keep in our cities, keep in our hospitals.

That's what the people said on election day. They said, "Yes, we made the choice." They'd been fooled—not all the people—by all the propaganda of the Tories. You know the mantra: Tax cuts solve everything. But as we know, the legacy of the tax cuts is quite clear. If you go south of the border here, the legacy of tax cuts down there is a \$530-billion deficit Mr Bush is running—a \$530-billion deficit in the United States of America. They worked on this tax-cut scheme that tax cuts solve all problems. The Conservative government believed in the same schemes, you might say, of, "Tax cuts will do everything."

But we know; the proof is very clear. Tax cuts didn't help our schools. People said that unequivocally at the doors. Our hospitals, our health care system—devastated. Tax cuts didn't help the hospitals. Tax cuts didn't help the seniors. That's why the seniors rejected the tax-cut scheme offered them. The seniors were too smart for them. They said, "You offered me that \$200 there last Christmas. With that \$200, it didn't do me any good. I still had to pay more for health care services. I can't get into my homecare service." So the seniors said, "You know, maybe once or twice, Mr Harris, Mr Eves; this time, I'm not going to buy your tax-cut promise, because the tax cut means something different." It's not a benefit; it's really something negative to that senior. That's why they rejected the tax cut that they offered seniors.

That is why, right now in Ontario, we have some work to do. We have to basically pick up the mess that's left behind, the destruction that's left behind. The sad thing is, in eight years of good economic activity in this province, when they should have been fixing the infra-

structure and taking care of children, our schools and our hospitals, they didn't. They squandered the prosperity, never mind running the government on Visa for the last eight years. On Visa, what do you pay, 28% or something? That's what we're paying. We were paying I don't know how many millions a day carrying this deficit they left us. Then, as you know, they pushed up money on to the provincial debt. They said, "Well, it's not really there, because the hydro ratepayers are going to pay for that part of the debt, and that doesn't really count as part of the deficit." We know that usually the people who are the hydro ratepayers are also the taxpayers in Ontario, but they said, "Don't count that; that's not really a debt."

1730

So we've got the situation in Ontario where they left us a real challenge. What we're saying to the people of Ontario right now is that we're making some tough decisions, and they're not easy, like the Minister of Energy yesterday. It's not easy to say that you're going to have to do something about this huge problem in electricity and energy. When you came to power, the New Democratic Party under Bob Rae, you were faced with some of the same financial pressures.

I'm not sure whether we should learn from you and be more aggressive in bringing down the financial deficit facing us. I think that's what we decided to do. We figure we cannot put it off. So we're going to make some people unhappy because we're going to make some tough decisions. I'm sure that people today, and you'll hear the Conservatives across the way, the members of the opposition, say, "Well, you shouldn't have done this, and you shouldn't have raised the tobacco tax," and all these kinds of things. We would like to say, "OK, no more tobacco tax. Smoke yourself to death. Do that." But we're saying to people, "Listen, for your own good"—and I think that's what Premier McGuinty is saying: For the good of Ontario, we're going to do some really tough things in the first while. I hope it's not too long.

Like the members across and everywhere, we were elected here to bring some good news and to rebuild our schools and get those class sizes down, give seniors more services in their homes. We want to do that as soon as possible, but we've got to get rid of the Eves Visa debt, and it's huge, because it's not something that sits static; it grows.

The incredible thing about the Conservatives is that they said they were going to promise all these monies and expenditures on health care and education, and they were going to proceed with these tax giveaways on top of it. How would they ever have afforded that? I don't know what they could have sold. Even selling the LCBO, that asset, wouldn't be able to—which, as you know, is a ludicrous thing because we learned the lesson of the sell-off of the 407: You don't sell off public assets that give you a revenue stream. You never sell them. They gave it away. As you know, the 407—I think they got \$3 billion from the Spanish consortium and so forth—is now valued at about \$12 billion, and there's a constant revenue stream on tolls.

We are not going to get into, "We would've sold these things." Remember, they never would tell us what they would have sold. "But that was easy. You guys should have known that we were going to sell these things." They would never tell us what these assets were. All we could estimate was that they were going to sell off some bit of land here. They wouldn't mention the LCBO, and that was the only thing they had left to sell. TVOntario was not going to give you much money. So if we're talking about a \$5.6-billion deficit that we're faced with—and we wish it wasn't there—the reality is that it's there and we are ready to deal with it.

Today's legislation that we're debating here is about dealing with the reality and the legacy of deficit and destruction that the former Conservatives left Ontario. As I said, the saddest thing of all is that so much could have been done during those eight years, and they failed on all accounts, because all they cared about was, theoretically, appeasing people, pleasing people by promising tax cuts. Every time there was a problem, "Oh, we'll give you a tax cut." That was their solution to everything. "Tax cuts create jobs; tax cuts create all kinds of solutions." Tax cuts, once and for all—I think the people of Ontario spoke so clearly. They know that tax cuts essentially are not a solution to a problem. In government we have problems, we have challenges, and you essentially work with public revenues to fix those problems for the good of the people of Ontario.

Right now in this Bill 2 we are trying to fix some of these problems, and that's why we are rejecting all these tax schemes. I call it the tax scheme reduction. These tax scheme tricks—

**Hon Mr Bradley:** Never worked.

**Mr Colle:** —never worked. The member for St Catharines knows and he's been saying that from day one. Tax schemes are a con. As I said before, I am so happy that people finally stood up and said no to the tax scheme tricks.

We are proceeding to work to solve this problem because, unless we manage this deficit they've left us with, it's going to eat up any potential we have to do the good things we want to do. We want to do some good things for our children, our seniors, and we want to do some good things for our cities, but we're all going to have to fix this problem that was left us.

**The Acting Speaker:** Questions and comments?

**Mr John O'Toole (Durham):** I was drawn into the debate—and before I get into that in the two minutes or so that are allowed, I want to congratulate the member from Eglinton-Lawrence. I've listened to him for some time and I, for one, want to stand in this place and say that I was somewhat disappointed that you weren't in cabinet. I think you should have been the Minister of Municipal Affairs, Mike. In fact, you could have been the minister of the Oak Ridges moraine. I know how hard you worked and how little you achieved, and you must be very disappointed. It's just one more example of the failures of the government that you're part of, in my view. You must be disappointed.

I kind of look at this thing as a much more analytical exercise. I was looking at what this very qualified person writes: "The enthusiasm with which the province's Finance Minister Greg Sorbara has endorsed corporate tax increases casts doubt on his grasp of the material. Hints of his detachment from economic reality have been around for weeks." In fact, I was surprised that Gerry Phillips didn't get finance. He's eminently qualified and much more honest.

"A new report yesterday from the province's Task Force on Competitiveness, Productivity and Economic Progress, headed by Roger Martin of the Rotman School of Management," said that, "A lot of factors are at work, but a critical aspect of the gap is a stifling tax load that renders the province uncompetitive."

There it is from one of the top business schools, and a point of reference that you should really consult with, that says that Ontario could only make investments by having a strong economy. The equation we put forward is that without a strong economy, you can't support the funding that's needed for strong public education and health care. It's a fundamental premise. It's the platform, basically, of everything, when we were government, that we stood for.

There are times when expenditures are necessary, public safety certainly being one of them. Your budget doesn't address any of the things that you promised.

**Mr Marchese:** I do as well, member from Eglinton-Lawrence, want to say that I was puzzled as to why the Premier didn't put you in cabinet. I mean that sincerely. You had the experience and you've been here for a long time. I don't know how you sort that out, but I was disappointed on your behalf.

**Mr O'Toole:** We agree on a lot of things.

**Mr Marchese:** Except without the tone. I meant it sincerely.

Now on the issues that you debated: First of all I have no doubt that you and others have good intentions as to what you wanted to do or you want to do. I don't doubt the sincerity at all. I know that you would wish that the deficit wasn't there. I understand that as well. All I want to remind you of, you and all the other Liberals, is that we were aware of the problem before. I told many of your Liberal members that you couldn't do what you set out to do. No matter your intentions, it couldn't be done. You cannot produce the kind of alchemy that you had proposed, ie, deficit, expenditures, no tax increases and balance the budget. You understand the formula. It just didn't work. It didn't work when you were announcing it and it won't work now.

1740

I won't let you forget that we had told you that you couldn't do it. While you want to try to have me forget that you said that, I can't do it, because you led people around a path that said, "Yes, we can." Only Liberals appear to be the ones who can say, "We can do everything. Keep taxes down, not increase them; increase services and balance the budget"—while you knew there was a deficit. I'm sorry. Gotta tell you, we told you so;



we knew you couldn't do it. We're going to be here to remind you that, as bad as they were, we're coming after you for as bad as you were as well, prior to the election.

**Ms Jennifer F. Mossop (Stoney Creek):** It's a great honour for me to speak in support of my colleague the member for Eglinton-Lawrence, in my first opportunity to do so in the House. I'm not going to spend my two minutes reading somebody else's opinion; I'm going to give you a bit of my own.

I am a newcomer here. I started in this absolutely beautiful, magical, mystical building just about a month ago. Everywhere I walk in this building, there are wonderful people with these flowing black robes. They greet me by name and they seem to know a little about me. I started to feel like Harry Potter in Hogwarts Academy. Then, the wizardry with which our previous government has dealt with its bookkeeping sort of enhanced that image. Then we were hearing about a bit of alchemy, but quite frankly, there is no magic wand in the world that is going to clean up the mess we were left overnight.

The good people of Ontario do not expect any such magic tricks. They've, quite frankly, had enough of magic tricks. They had them for the last eight years. What we are going to do is what every householder in Ontario expects us to do, which is to get our financial books in order and then take on our priorities as outlined in our very excellent, detailed platform, which we were elected on. That's what we're going to do. What we are not going to do is what the previous government did: take a machete to spending and taxes and put in serious, serious state the infrastructure of this province—the schools, the hospitals that are near collapse at this point. We are not going to do that. We are going to work creatively and as quickly as we can to solve the problems left to us.

**Mr Yakabuski:** I too would like to congratulate the member for Eglinton-Lawrence on his re-election to this House. I want to talk a bit again about the Fiscal Responsibility Act, 2003. Back in September 2003, this year, you might recall there was an analyst dealing specifically with the petroleum industry. It was around Labour Day when there was a huge spike in gasoline prices. His comment was, "This is just terrible for business." To have a hike in gas prices like that, over a short period of time, it's just sending their costs through the window. He said, "Do you know what it is? It's just like a tax hike."

That is exactly what this government proposes to do to small business in this province: a tax hike, when they can least afford it. It's not just small business; it's your families, young people looking to buy a home, looking for some relief on their mortgage; seniors looking for some help to allow them to stay in their homes. This government—everybody's going to be walking around like this, because this government wants to have their hands in your pocket. They're not going to be happy until they've done enough damage for this economy to take a severe downturn. If you take money that would be spent

growing the economy by individuals, by businesses, by families, and take it away and put it into the government revenue side, it's not going to accomplish the same thing for the economy. I'm very concerned.

It is no accident—

**The Acting Speaker:** Thank you very much.

The member for Eglinton-Lawrence has two minutes to respond to the questions and comments.

**Mr Colle:** I want to thank everybody who commented: the member from Durham, the member from Trinity-Spadina, Stoney Creek—it is certainly an honour to have her make her maiden speech commenting on mine—and the member for Nipissing-Pembroke for his comments.

Fundamentally, I think there's something that we're saying with this bill today, and that is that as Liberals we were very clear and emphatic in saying that all the tax cut schemes that the Tories campaigned on, we rejected, because the economy is more than tax cut schemes. The economy is about an educated workforce; the economy is about a health care system second to none; the economy is about the city's infrastructure with public transit; the economy is about drinking water you can trust. Those are things, as we well know, that over the last eight years were neglected by this government because they made a choice: They'd rather put the hard-earned money of Ontarians into tax cut tricks and trickery and pretend that that was somehow going to make a better Ontario.

The proof is in the pudding: Look at the legacy they left us. Not only did they leave us this unprecedented deficit in terms of—I mean, they make Mulroney look good in terms of what he left the federal government—not only a physical deficit, a social deficit, an educational deficit and a capital infrastructure deficit that is about \$60 billion. That's the legacy of the tax cut schemers, and people said, "No more. Give us the straight goods. Give us programs that help our schools, our seniors, our cities."

**The Acting Speaker:** Further debate? The member for Parry Sound-Muskoka.

**Mr Norm Miller (Parry Sound-Muskoka):** Thank you very much, Mr Speaker, and congratulations on becoming Deputy Speaker, I believe it is. Well done.

I'm very pleased to join in the debate this afternoon on Bill 2, An Act respecting fiscal responsibility. It was tabled just the other day by the Minister of Finance. Really, this is a bill about raising taxes.

I think the tax increase that I have the biggest problem with, and I think the one that's going to do the most damage to the economy of Ontario, is the increase in corporate taxes. We can think of big, bad corporations, but they're pretty important to the economy of Ontario and they aren't necessarily that big; they're small and medium-sized businesses that are extremely important to our economy. I think it's worth noting that through the changes that are going to occur as a result of Bill 2, medium-sized corporations in Ontario are going to pay effectively 27% higher taxes on January 1, 2004, than they would have had our government still been in power

or been re-elected. That's a number worth noting: 27% higher taxes. That's what medium-sized businesses will pay in the province of Ontario as a result of Bill 2 going through.

It makes changes to many other taxes as well. It cancels the personal income tax reduction that was planned. It repeals the seniors' property tax credit. It makes a number of changes in taxes. It also does away with the planned 10% reduction in capital tax. I think that's another unwise move. Capital tax is a tax on capital. It's an unproductive tax and hurts the competitiveness of our economy, so I think that's a bad tax as well.

1750

Just today I was on the phone—I'm the critic for northern development and mines—to a reasonable-sized mine in the Thunder Bay area getting a feel from them about how they think these tax increases are going to affect their business and competitiveness. They're concerned. They said that in mining there are a lot of high-paying jobs and all those workers—this mine employs some 280 people. They've got great jobs and their taxes are going to increase as a result of this Liberal government's plans. They explained that mining is cyclical, and with the high Canadian dollar—the Canadian dollar has gone up 20% in the last year—that's making things tough in northern Ontario. This company, which shall remain nameless for now, has a big plan to go underground—it's currently an open-pit mine—and they're right at the feasibility stage. They said higher tax rates may affect their decision, the go/no go decision, because it will affect whether it makes sense, in light of the increase in the Canadian dollar and in light of this government just yesterday passing on higher energy costs.

These things are taken into account when you're doing the feasibility on the creation of more employment. This underground stage that they might go to may be another 100 high-paying jobs that would be very, very helpful to the Thunder Bay area. You may think we're just talking about big corporations, but it really affects the people who work for them and it really is the core of the economy here in Ontario.

I like to get the opinion of other people, including some of the journalists. I read an article in today's *Globe and Mail*, Wednesday, November 26, Report on Business, from Bruce Little, the economics reporter for Toronto: "Ontario's standard of living is lower than it should be because Ontarians—companies, governments and individuals alike—invest too little, a provincial task force said yesterday." He goes on to point out, "Business invests too little on new equipment that would improve productivity partly because taxes on capital are higher here than in the United States, the task force found." We were planning on reducing capital taxes by 10%. This bill rescinding that. "Ironically, its report was released just as the new Ontario government of Premier Dalton McGuinty introduced legislation to raise corporate income taxes.

"Although the statutory corporate tax rate is lower in Ontario than in the United States, the report said, US states allow bigger deductions for depreciation, charge lower capital taxes and provide other tax breaks that reduce the marginal effective rate of taxation, the key measure used by businesses when making investment or local decisions.

"This year, Ontario's tax on capital came to 29% of the cost of new investment, compared with 12.7% in five similar US states, the report said. The gap has widened since 2002, when the Ontario rate of 29.8% compared with a US rate of 14.5%."

I was just reading an article from my fast friend Claire Hoy, who was a guest at our resort at one point. He wrote an article just today in the *Sudbury Star* on the broken promises of the current government and also on the deficit. Claire is a cottager in Parry Sound-Muskoka, and now he's got a cottage up on Whitestone Lake. Of course, he was a *Queen's Park* journalist for many years and he's a well-known author. He raised some good points about the credibility of the government and about them keeping their promises. He says that very quickly this government is establishing that promises don't really mean anything. Things they said in the election somehow, now that they're the government, don't seem to mean a darn thing.

Claire makes some good points. He says, "Former US President Bill Clinton—hardly a beacon of moral leadership—said this in August 1992: 'No wonder Americans hate politics when, year in and year out, they hear politicians make promises that won't come true because they don't even mean them—campaign fantasies that win elections but don't get nations moving....'"

"Which brings us, alas, to Ontario's newly elected Liberal Premier Dalton McGuinty."

He goes on to talk about Mike Harris and how, even if you didn't like Mike Harris, he certainly did tell you what he was going to do before the election and he delivered once elected. The motto of the last government was: promises made, promises kept.

He goes on, talking about the so-called \$5.6-billion deficit, which in the throne speech was labelled as the "inherited deficit." I might mention that when I went through the throne speech I noticed they used that terminology at least 10 times.

"Because of that"—this so-called inherited deficit—"says McGuinty, many of his sacred campaign promises—such as pouring money into health and education, including capping class sizes in the early grades—have to be dropped because of the alleged deficit.

"Let's be clear. There is no \$5.6-billion deficit.

"Even McGuinty's hired gun, former Provincial Auditor Erik Peters, didn't say there was. He said it might have reached that figure by the end of the next fiscal year, but only if all the things the Tories had said they were going to do to cut costs didn't happen."

In other words, if you sit on your hands and you don't do anything, sure; if you mismanage the economy, yes, you'll have a \$5.6-billion deficit. You have to manage



the economy. You have to make responsible decisions and then you can balance the budget. The government can still balance the budget.

"Even if you accept the bogus argument over the falsely inflated deficit, how to explain one of McGuinty's most popular and vote-generating promises—one he used as a symbol between the new Liberal way and the old Tory way, ie, that he would stop housing development on the massive Oak Ridges moraine north of Toronto."

That was certainly another broken promise where the government campaigned on the fact that they were going to do away with 6,600 new homes that were planned, and instead we're seeing a few hundred. Then even after he'd won the election the Premier was still saying, through the media, "I am delivering a message through you tonight to tell those people involved (developers) that we intend to stand up for the protection of that environmentally sensitive space. They aren't making any more moraines." Then he slapped a two-week freeze on and then miraculously he saved a few hundred. So it was another broken promise.

I would like to go through how the budget can be balanced, because this was just illustrated by our finance critic today, Mr Baird, and by the Premier, to show that if there was determination you could in fact achieve a surplus this year. The question of the balanced budget has been a big part of why the Liberal government has been slowing down on their promises or just outright breaking their promises.

First of all, creative accounting—the stranded debt of Hydro has never been counted as part of the budgeting process. So if you move the stranded debt from the budget you achieve \$700 million in savings.

If you include the federal health supplement, as promised by John Manley, that's \$771 million in savings. Mr Manley has stated, "I believe that with our method of accounting in Ontario and in Canada, even if they get it next year, it will count this year." That was John Manley in the *Ottawa Citizen*, November 15, 2003.

If you include higher-than-expected corporate income tax revenue, that's another \$200 million.

If you include the full sale of Teranet, that reduces the deficit by \$238 million in the blame-game deficit.

If you carry through on the Ontario public service hiring freeze, which was started by then-Chair of Management Board David Tsubouchi, who in a memo of August 8, 2003, said, "an immediate freeze until further notice on all hiring that is not essential to meet business critical needs," that would save another \$300 million toward making sure we have a balanced budget.

If you reduce government expenses by three quarters of a cent on every dollar, that's \$500 million reduced in the so-called blame-game deficit.

If you include the emergency federal funding for SARS that certainly the province is entitled to—as when there have been national emergencies around the country, the federal government has come through with 90% of the funding—if you count that, taking off the \$330 million that the government has promised, that's another \$767 million toward the SARS-related expenditures of \$1.13 billion.

If you account for realistic GDP growth, because the first half of this year was a tough year, with SARS, with the blackout, with all the things that happened—so if you're planning based on the first half of the year, gross domestic product was not too spectacular. But since then gross domestic product is doing very well. In fact, if you use the 2% to 2.5%, not 1.8%, that makes a difference of between \$125 million and \$438 million in the deficit. Some of the financial institutions are making predictions. BMO Nesbitt Burns says that in Q4 of this year there will be a 2.8% growth rate, Scotia Economics says 3.2%, TD Economics says 2.8%, and CIBC says 3.3%. So I think that's fairly realistic.

Also, it's worth noting that the US economy, which has been quite stagnant the last few years, is booming all of a sudden. They've had 7% growth over the last quarter, and of course our economy is very much tied to the American economy, so certainly it's reasonable to assume that will affect the Ontario economy.

If you account for crown corporation recovery based on GDP growth at the higher rate—that's from crown corporations like the LCBO, like the Ontario Lottery and Gaming Corp. If you're using the newly revised GDP instead of the first part of the year's GDP, then that's another \$43-million to \$150-million reduction in the deficit.

Of course, in the budget that was tabled back in March there were asset sales, as per the Ontario budget. That's at least \$1.7 billion. As I mentioned, that's only accounting for the sale of Teranet. The sale of Mattagami hydro was also planned. That's at \$1.3 billion.

Also, if you take the Liberals' own financial plans to do away with the deficit, including their tax increases, that's \$2 billion. If you include the billion dollars that the Liberals have planned as a reserve, you can actually end up with a surplus.

So I think just blaming all the broken promises and increasing taxes based on a supposed \$5.6-billion deficit is not responsible. I really worry—

**The Acting Speaker:** I thank the member for Parry Sound-Muskoka for his presentation, but it is now 6 o'clock. This House stands adjourned until a quarter to 7, later on this evening.

*The House adjourned at 1802.*

*Evening meeting reported in volume B.*





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## Assemblée législative de l'Ontario

Première session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 26 November 2003

Mercredi 26 novembre 2003

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 26 November 2003

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 26 novembre 2003

*The House met at 1845.*

### ORDERS OF THE DAY

**Ms Shelley Martel (Nickel Belt):** On a point of order, Speaker: I don't believe we have a quorum.

**The Acting Speaker (Mr Ted McMeekin):** Would the clerks please check to see if we have a quorum.

**Deputy Clerk (Ms Deborah Deller):** A quorum is present, Speaker.

### ONTARIO ENERGY BOARD AMENDMENT ACT (ELECTRICITY PRICING), 2003

### LOI DE 2003 MODIFIANT LA LOI SUR LA COMMISSION DE L'ÉNERGIE DE L'ONTARIO (ÉTABLISSEMENT DU COÛT DE L'ÉLECTRICITÉ)

Mr Duncan moved second reading of the following bill:

Bill 4, An Act to amend the Ontario Energy Board Act, 1998 with respect to electricity pricing / Projet de loi 4, Loi modifiant la Loi de 1998 sur la Commission de l'énergie de l'Ontario à l'égard de l'établissement du coût de l'électricité.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I'll be sharing my lead time with the new member from Sault Ste Marie and the new member for Scarborough Centre.

Yesterday I introduced the Ontario Energy Board Amendment Act for consideration by this assembly. Already the response to this proposed legislation has been overwhelmingly positive. People in this province understand that a responsible approach to electricity pricing is good public policy, and they understand that it's simply the right thing to do.

On October 30, the Premier asked me to deliver an approach to electricity pricing that better reflects the true cost of electricity in Ontario. He asked for a pricing plan and an overall approach to electricity policy that, first and foremost, would protect Ontario's consumers by providing them with fair, predictable and stable rates. This is what has been delivered in the Ontario Energy Board Amendment Act, which we are debating in the assembly tonight.

This plan is good for Ontarians for a variety of reasons. First, as I mentioned, it will protect Ontarians by

ensuring a fair and predictable solution to electricity pricing that better reflects the true cost of electricity in Ontario today. Second, it ensures that our government stops subsidizing electricity consumption and jeopardizing our ability to invest in health care and education. Third, it sends a clear and positive message about conservation, which is critical to a sustainable energy future and a healthier environment. Fourth, it will help to promote new, much-needed supply to keep the lights on in our great province.

We cannot see our energy policies continue to be tossed around like political footballs, as they were under the previous government. I'm sure we all remember, in the summer and fall of 2002, under the lack of leadership of the Tory government, when many consumers, without knowing why, found themselves paying volatile market prices for electricity. Every hour of every day the price changed—sometimes quite dramatically. Working families, small businesses, farmers and individuals on fixed incomes were terrified by the uncertainty this created.

Then late last year, as an election drew closer, the Eves government imposed a cap of 4.3 cents per kilowatt hour on the retail price of electricity. The price freeze solved the volatility problem but had the effect of obscuring the true cost of electricity and cutting consumers off from information they needed to make better choices.

Over the past year, 4.3 cents has been shown to be below the average market price of the electricity needed to heat and light our homes, businesses and farms. As Premier McGuinty has pointed out, the electricity price freeze is contributing to the \$5.6-billion deficit at a rate of hundreds of millions of dollars a year. In fact, since the price cap was put in place a year ago, it has cost us over \$800 million.

### 1850

It would be irresponsible for the province and taxpayers to continue to subsidize electricity consumption, because it jeopardizes our ability to invest in health care and education. This is simply not sustainable, nor is it acceptable. The people of this province deserve better.

If we are to provide the people of Ontario with the services they expect and deserve, the price freeze cannot be sustained. As we all know, the price freeze provides little, if any, incentive to conserve energy. Today more than ever, it should be obvious that energy conservation is of paramount importance. It reduces the demands on our electricity system and our reliance on coal-fired generation and, in so doing, helps protect our environment.



It's obvious that we need to move quickly away from the current, artificially low fixed price to a more sustainable price that better reflects the true cost of electricity.

As I outlined to you yesterday, under the proposed legislation, our government will get rid of the artificially low cap of 4.3 cents. Our new plan introduces responsible pricing structure that is fair and predictable for consumers, reflects the true cost of electricity, gets rid of a subsidy that is completely unsustainable, and sends that clear and powerful conservation message to the people of this great province.

Under my proposed legislation, an interim pricing plan will take effect on April 1, 2004. The first 750 kilowatt hours consumed in any month will be priced at 4.7 cents per kilowatt hour. Consumption above that level would be priced at the higher rate of 5.5 cents per kilowatt hour. These numbers better reflect the true cost of electricity in Ontario.

Approximately 60% of homes in Ontario use less than the 1,000 kilowatt hours per month. Conservation measures could help reduce that consumption level. Since the proposed plan would not take effect until April, consumers will have a chance to review their energy use, take conservation methods and, as a result, limit the impact on their electricity bill.

Under the proposed legislation, the interim pricing plan will stay in place until an independent regulator, the Ontario Energy Board, develops new mechanisms for setting prices in the future. By so doing, this plan will take the politics and politicians out of electricity pricing and give that responsibility to an independent regulator. The Ontario Energy Board has been directed to assume this responsibility as soon as possible and no later than May 2005.

If the interim price turns out to be higher than the average market price, all eligible consumers would receive a credit after the Ontario Energy Board implements the new pricing mechanism.

By ensuring that the Ontario Energy Board, an independent body, sets future prices, we can be sure that electricity prices in Ontario will be regulated on the basis of what is in the public interest. At the same time, we're also taking steps to allow the Ontario Energy Board to protect and renew our electricity grid by ensuring reasonable charges for the delivery of electricity.

Furthermore, beginning March 1, 2004, local distribution companies would be allowed to recoup some of the costs that the previous government had put on hold. This will ease a tremendous financial burden that these local companies, the vast majority of which are owned by municipalities across Ontario, have had to face. To mitigate impacts on consumers, the OEB would be asked to ensure that these recoveries to local distribution companies are spread out over four years. We estimate that this will have a modest impact on the final price to consumers.

As of March 1, 2005, local distribution companies would be allowed to achieve their full commercial return, but only on the condition that they reinvest the equivalent

of one year's worth of these additional monies in conservation and demand management programs. This represents an investment in new conservation initiatives of approximately \$225 million, the largest single conservation investment in the history of the province of Ontario.

Through this plan, we are delivering on our commitment toward fiscal responsibility and fair and responsible government to the people of Ontario. But I don't want you to simply take my word for it. As I mentioned earlier, the positive response we've been receiving on this plan has been overwhelming.

Take Meena Hardat from Mississauga, for example. Mrs Hardat is the woman whose kitchen the former Tory government used to announce their 4.3-cent price cap last November. It looked like a home invasion on television as I watched it. Do you know what she had to say about the proposed plan? She said, "If you want to use, you have to pay." She endorsed this plan because she understands the importance of conservation. She understands that the legislation before us makes sense, and that it's good public policy.

But she's not the only residential consumer who understands that what we are proposing makes sense. If you read the *Toronto Star* today, you'll see that their readers were asked what they thought about the proposed legislation. Let me briefly read for you what some of them had to say.

Paul James, from Etobicoke, said, "Taxpayers were paying for the reckless cap by the Tories anyhow, so either way consumers are hit. This new legislation pushes consumers to conserve, something that Ontarians do not do enough of. I applaud the Liberals for this, as they're having enough trouble dealing with the mess left behind by Eves and the Conservatives."

Urs Eggiman, from Oakville, said, "The new hydro increase is reasonable and should encourage energy conservation. It does not make any sense to subsidize energy waste with taxpayers' money."

Carol Kanitz, from King City, said, "At some point, we were going to have to pay the difference between the current price of electricity and the actual cost. I prefer to pay it in small instalments over time. Knowing what is coming in April will give us time to monitor our usage and find ways to cut back before the price rises. I am less concerned about a promise broken than I am about how a problem is solved."

Ila Bossons, from Toronto, said, "I'm sick and tired of having my taxes used to subsidize those who waste electricity because Mr Eves made it so cheap. Nowhere else in the western world do taxes pay for hydro! We should go back to what's fair—pay the full price."

And the list goes on and on. Clearly, Ontarians understand that a responsible approach is the right approach. They accept that we all have a responsibility to conserve and protect our environment and they understand that this proposed legislation is in the best public interest.

Municipalities in this province also understand that the legislation before us is good public policy. Ken Boshcoff, president of the Association of Municipalities of Ontario,

was quoted on behalf of his members as saying, "Municipalities, like others in Ontario, will be impacted by the increase in price, but AMO will work with the government and our members to mitigate these costs through conservation efforts and other measures. Municipal governments want a sustainable supply of electricity at an affordable price and we know our communities' health, safety and economic growth requires a dependable supply of electricity."

And yes, the mayor of Thunder Bay, in northwestern Ontario, a city I'm well familiar with—a great city that returns great Liberals and has for many years, including Michael Gravelle, and it's nice to see him here tonight—Ann Mulvale, AMO's incoming president, said, "We are pleased that the province recognizes the real costs incurred by our LDCs, and the legitimate charges they need to recover so that our infrastructure is maintained and improved. The Minister of Energy ... has listened to our concerns."

I am listening to their concerns and I'm also listening to the industry's concerns. Allow me to briefly tell you what some members of the industry had to say about the legislation that our government has put forward.

Charlie Macaluso, CEO of the Electricity Distributors Association, said that the announcement "is clear and welcome recognition by the McGuinty government of the fact that a strong and reliable electricity distribution industry is as important as having access to a sufficient supply of electricity. Putting Ontario's electricity distribution industry on the path to restored financial health will ensure a strong, competitive economy for our local communities and the province of Ontario."

Ed Houghton, chair of the same organization, said, "If left unresolved, the financial pressures on distributors could have compromised maintenance and capital expenditures, which, in turn, could have jeopardized electricity reliability and Ontario's competitive advantage."

John Wiersma, president and CEO of Veridian, a company that distributes electricity to more than 90,000 customers in the Pickering area, said, "We applaud the government for moving to a more sustainable price structure, free of government subsidies. The change will go a long way to instilling investor confidence in the Ontario marketplace."

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John Brace, president of the Independent Power Producers' Society of Ontario, said, "The Ontario government has sent out an important signal by setting the province on a course towards realistic electricity prices. Not only will this help ease the provincial deficit and encourage efficiency, if properly implemented it will improve the climate for investment in new and innovative energy technologies."

What does he mean by "new and innovative technologies"? He means green power, he means wind power, he means renewable sources of energy, moving forward in the 21st century, something a government that was really more set for the 18th century never wanted to do and certainly never had the vision to do.

Environmentalists and conservationists are also applauding our efforts to introduce this legislation. For example, Peter Love, executive director of the Canadian Energy Efficiency Alliance, said, "It's certainly a step in the right direction. We're seeing a price that's more realistic and more in line with what our generation costs are. It is clearly a signal to Ontarians that they need to conserve energy."

Deborah Doncaster, executive director of the Ontario Sustainable Energy Association, said of the plan, "I think it's really smart and good incentive for consumers to use less energy."

Tom Adams, executive director of Energy Probe, said, "It is an important step in the right direction."

Small business has also gone public to endorse the proposed legislation. The Ontario Chamber of Commerce, which represents over 56,000 businesses in Ontario—

**Mr Garfield Dunlop (Simcoe North):** What, all three of them?

**Hon Mr Duncan:** —not three, 56,000—said it's encouraged by the plan. The OCC, Ontario Chamber of Commerce, president and CEO Len Crispino, said, "We definitely applaud this first step the government has proposed today, because in the current climate of capped rates, there is reluctance by the industry to make new investments to ensure adequate supply. We have always supported measures that not only provide incentive to increase market supply, but also encourage conservation by consumers." Mr Crispino was also quoted as saying, "We support this important first step because it begins the process of ultimately ensuring that the full cost of power appears on the consumer's hydro bill, not on their tax bill."

Clearly the people have spoken: Residential consumers, small business, municipalities, industry, environmentalists and conservationists alike agree that the legislation before the assembly should be passed because it's good public policy. They understand and appreciate the direction we are taking. They understand that electricity isn't free, and despite the previous government's attempt with the 4.3-cent price freeze, they can't be fooled forever. They understand we shouldn't expect future generations to pay for the mistakes of the past, mistakes that we must act now to recognize. Finally, they understand that it would be irresponsible to continue to subsidize electricity consumption, because it jeopardizes our ability to invest in critical areas such as health care and education.

Energy is critical to the safety and comfort of our families and the strength and security of the economy they depend on. It's simply too important to be continually subjected to political whims and whatever opinion polls show to be popular on any given day. We must rebuild over the next 20 years virtually our entire capacity to power Ontario's businesses, schools, hospitals, infrastructures and homes. We must deliver power that will allow Ontario to grow and prosper for decades to come.



This legislation is one of many steps we are taking to ensure a safe, reliable and sustainable supply of energy for the people of Ontario. We firmly believe that our plan is in the immediate public interest. I appeal to everyone in this assembly to do what's right and vote in favour of the bill. Anything less would be a disservice to the people of the province.

This legislation begins the process of correcting a bad mistake that this Legislature made a year ago. That mistake, if left unchecked, would continue to cut off growth in this economy. Sometimes we have to change course. Sometimes we have to take tough decisions. Sometimes we have to acknowledge that there was a mistake. Those of us on this side of the House acknowledge that. Those of us on this side of the House are prepared to move forward in a way that will guarantee future prosperity for this province as it relates to energy. I submit that the previous government's ill-fated policy didn't work. They said—and I remember very clearly—not once but many times, that the freeze was revenue-neutral. That was the term that Premier Eves used. He said it wouldn't cost the taxpayer anything, that we could manage this. "We can do this and we can keep all of our other commitments." You know what? It cost us \$800 million, and it did nothing to encourage conservation. It has done nothing to ensure that we take those coal-fired plants out of production. This government will do that by 2007.

No vision, an empty policy, a party wracked by dissension and disservice—that's why you're over there and we're over here. We were given the mandate to fix the problems you created. We're not going to shrink from the responsibility.

Under the leadership of Premier Dalton McGuinty, this province will grow and prosper, and this party and this government will live up to their commitments on health care and education in a way that you couldn't even imagine. The days of cutting health care, the days of firing nurses, the days of closing schools, the days of insulting teachers are gone and buried. Good riddance.

Thank you to the people of Ontario. We're moving forward in a positive light for everybody.

**Mr David Orazietti (Sault Ste Marie):** It's my privilege to be here representing the riding of Sault Ste Marie. I want to thank the voters of Sault Ste Marie for electing me to serve their interests. It's the first time a Liberal member has had this opportunity from our city since 1937. I'm truly honoured and proud to be part of a new Liberal government that has been on the job since day one and has already put forward an aggressive plan of change to address the tremendous mismanagement of this province by the past Conservative government.

I want to tell you I have tremendous enthusiasm for our government's ability to meet the pressing challenges that we face in this province today. I am saying this because, without a doubt, the last time in the past 25 years that the riding of Sault Ste Marie received significant investment that resulted in economic growth was under the Peterson Liberal government. During the recent election, our party was the only party that took the needs of

northern Ontario seriously and clearly outlined our plans in a document called True North. Northerners once again have a renewed hope that their economic and social conditions will improve, because our new Premier also takes the concerns of northern Ontario seriously. It is my privilege to be part of a government that respects the interests of all Ontarians.

On the energy bill, Bill 4: What does this bill mean to Ontarians? Our government is taking a responsible approach to electricity pricing that better reflects the true cost of electricity. The Tories' electricity price freeze did not reflect the true cost of electricity and has contributed to the \$5.6-billion deficit threatening this province. The 4.3-cent price freeze was simply unrealistic. Ultimately, Ontario taxpayers are paying for this bad decision.

Since the Tory price cap was put in place a year ago, it has cost us \$800 million. That's simply not sustainable. It is irresponsible for the province to continue subsidizing electricity consumption, because it jeopardizes our ability to invest in health care and education, a commitment that we have made to all Ontarians and a mandate that we were elected to deliver on.

The days of using energy as a political football are over. We owe it to the people of Ontario to ensure our government lives within its means and puts the public interest first.

Through this plan, we are delivering on our commitment toward fiscal responsibility and fair and responsible government to the people of Ontario.

Our government plan will protect consumers by ensuring a fair and more predictable solution to energy pricing. The plan will protect residential and low-volume consumers from the volatile price spikes we saw in the summer and fall of 2002, when the Tories were in power. We will have stable and predictable pricing so families, small businesses and other low-volume consumers can better manage their energy costs.

The price will be regulated by an independent body, not by politicians. The Ontario Energy Board will be the price regulator, and will develop a clear and transparent way of setting prices prior to May 1, 2005. The OEB will also protect and renew our electricity grid by ensuring reasonable charges for the delivery of electricity. Electricity prices in Ontario will be regulated on the basis of what is in the public interest.

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Electricity prices in Ontario, even after the removal of the cap, are expected to be competitive with most surrounding jurisdictions, in fact will be lower than New York, Illinois, Ohio, Michigan and other states that we're often compared to as not being competitive with.

The government's plan will include a strong incentive to conserve energy, which is good for consumers and good for the environment. The fact that consumers have been shielded from the true cost of electricity has encouraged consumption instead of encouraging conservation. The current 4.3-cent price cap will be removed in favour of a pricing structure that will send a clear and powerful conservation message to Ontarians.

Starting April 1, 2004, the first 750 kilowatt hours consumed in any month will be priced at 4.7 cents per kilowatt hour. Consumption above that level will be priced at a higher rate of 5.5 cents per kilowatt hour. A typical suburban home in Ontario consumes approximately 1,000 kilowatt hours per month. Conservation measures could help reduce that consumption level.

Since the proposed plan will not take place until April 1, 2004, consumers will have a chance to review their energy use, take conservation measures, and as a result, limit the impact of the price change on their bills.

Conservation also makes good environmental sense, because it will reduce our reliance on coal-fired generators, which will help meet our commitment to phase out coal-fired generation.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Speaker: Standing order 23(d), please.

**The Acting Speaker (Mr Ted McMeekin):** Stop the clock for a moment.

Thank you for your point of order. I'm informed, I think quite correctly, that if someone is reading excessively from notes that they didn't prepare, that could be considered a point of order. But when you're reading from your own speech—some members, particularly new members, are more comfortable doing that. So I don't accept the legitimacy of the point of order.

Please continue, member from Sault Ste Marie.

**Mr Oraziatti:** As citizens of this province, we all have to take responsibility to conserve energy and to protect our environment. Our government's plan will promote safe, reliable and sustainable supplies of energy.

As a former city councillor in Sault Ste Marie, I'd like to take you back to an example in our community. The public utility commission was on the auction block. Of course, in our community we decided not to sell off the public utility commission. We could have put \$40 million in the pockets of our community, but what would we do after? This was the problem with the past government's energy policy. There was no forethought on that issue. We're very pleased to be able to address this in a more responsible way.

Very shortly after I was elected, I had the opportunity to meet with several individuals and some of the major corporations in Sault Ste Marie that heavily consume power—Algoma Steel, St Marys Paper, Siderca seamless tubes in Sault Ste Marie; GP Flakeboard and Boniferro Millworks—that are all concerned about the lack of investment in energy for long-term price stability. All of them wanted long-term price stability, which was not provided by this government.

If we are to go back briefly to the history of some of this confusion and mismanagement with regard to the electricity market, we can take a look at the former NDP here, who put us partly in this situation. Cancelling a lifeline with the province of Manitoba and spending money frivolously on a Costa Rican rainforest, to me, is not responsible to the taxpayers of Ontario.

The Conservatives have flip-flopped about 11 times, as I'm counting—correct me if I'm wrong; it may be

12—on deregulation, and it has really created a problem for us in this province. There's really no reason that on every hot and cold day in this province we should be relying on the American power grid. We need affordable, sustainable power with renewable, environmentally sound sources of energy in this province. We have lost our energy sovereignty under the past two governments and we will be responsible for allowing for and encouraging reinvestment in the energy sector and creating new sources of energy in this province that will bring that long-term and much-needed price stability to this province.

This plan is a major step forward in attracting new electricity supply to sustain our future energy needs. We're sending a clear signal to the investment community that Ontario intends to deal with issues in a practical, sensible and transparent way. This plan reaffirms our commitment to modernize our electricity system by attracting new supply, encouraging conservation and delivering cleaner energy to the people of Ontario.

This plan will protect Ontarians by ensuring a fair and predictable solution to electricity pricing that better reflects the true cost of electricity in Ontario today. It ensures that our government stops subsidizing electricity consumption and jeopardizing our ability to invest in health care and education. It is also good for Ontarians because it sends a clear and powerful message about conservation, which is critical to sustainable energy and a healthier environment in the future. Finally, the responsible approach we are taking will promote new and much-needed additional supply of energy in this province.

Our government's plan will protect consumers by ensuring a fair and more predictable solution to electricity pricing. Approximately 60% of homes in Ontario consume less than 1,000 kilowatts per hour of electricity and will see less than a \$10 increase on their total monthly bill. However, by implementing simple conservation measures, these consumers can reduce their consumption and their bills. Our government will be implementing measures to educate consumers about conservation measures they can take between now and April 1, 2004, in order to limit the impact and the price change on their bill. For example, we have announced the extension of the sales tax rebate on energy-efficient appliances as one of the measures.

Our plan will provide residents of apartments and condominiums with stable, predictable pricing. Since the average monthly electricity use of most residents of apartments or condominiums is generally 750 kilowatt hours or less, most of their use would be covered by the 4.7-cent price cap. For multi-residential units that are individually metered, monthly electricity usage will be billed in the two blocks like other residential consumers. For the bulk meter departments and condominiums, regulations are being developed that would allow building owners to report the number of individual units to distributors to ensure that the monthly bill for the building



reflects the two-block pricing structure for individual units.

By implementing conservation measures, both landlords and tenants will be able to reduce electricity consumption and costs. Increases in costs such as utilities are reflected in operating costs used to determine annual rent increases and guidelines. Regulations are being developed to ensure that the cost of electricity billed to landlords will reflect the two-block price structure based on the number found on the bill.

Our government is committed to providing both residential and business consumers with the information and assistance they need to make decisions about energy conservation and efficiency. As just one initial step, we've announced the extension of the sales tax rebate. It's important to realize that the cost to date of the government fixed-price structure has been over \$800 million, which is jeopardizing our ability to invest in health care and education. Of course, we'd like to continue to keep the province's bills low, but that wouldn't be sustainable at this point and it would not be honest. Why? We should not be subsidizing the electricity use of schools and hospitals; we should be reinvesting in those facilities.

Our government is delivering the straight goods to everyone, including farmers and small businesses. We're taking a responsible approach to electricity pricing that better reflects the true cost of electricity and remains competitive with other jurisdictions. The Minister of Energy has met with the Canadian Federation of Independent Business and the Ontario Federation of Agriculture and has made a commitment to work together with them to look at ways that farmers and small business owners can limit the impact of the price change. Between now and April, we will be working hard with them to find opportunities for conservation and demand management programs.

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Since becoming the Minister of Energy on October 23, the Honourable Dwight Duncan has met with a number of energy industry stakeholders and consumer groups to get their input into the development plan. The government has also received a number of endorsements from key stakeholders for the development of this plan, including groups such as the Consumer Association of Canada, the Stakeholders' Alliance for Electricity Competition and Customer Choice, the Independent Power Producers' Society of Ontario, and the Electricity Distributors Association, as well as the Canadian Taxpayers Association and many others.

We have asked the OEB to move as quickly as possible to assume its role as an independent regulator of electricity prices. We believe we need to take the politics and politicians out of price setting. The best way to achieve this is to have the energy board assume the responsibility to develop a fair and transparent process for setting rates.

With that, I am very pleased to be supporting Bill 4 to do the responsible thing for Ontarians in managing this

very difficult issue that has caused much turmoil in the lives of Ontarians over the past years.

**Mr Brad Duguid (Scarborough Centre):** Let me commend the member from Sault Ste Marie. He did a wonderful job on his speech, a really terrific speech. I have gotten to know the member from Sault Ste Marie a little bit over the last few weeks, and I have to tell you, I think the people of Sault Ste Marie really have a terrific member in store for them.

**Hon James J. Bradley (Minister of Tourism and Recreation):** He's a dynamo.

**Mr Duguid:** He's a dynamo. He's going to go places here at Queen's Park. They're going to be reading a lot of good things about him. He's going to represent Sault Ste Marie and I think all the north very, very well, both in caucus and here in this place. I commend him on his first speech and I commend him on the work that I believe he's going to show us here today in this place.

I'm here today following in the line of a number of very good members of provincial Parliament, all of whom I think would have something to say on this bill before us today. My predecessor was Marilyn Mushinski, who is somebody I have a lot of respect for. I worked with her for a number of years as a city councillor. She was the MPP for the same area that I represent. I know as well that she would probably be very disappointed right now that the Tories would be coming down on us so much, when all we're trying to do is clean up the mess they left behind. I know she would recognize that, because she's always been a very rational and fair person. I believe she would probably have taken a different approach over the early days of Parliament in giving us a chance to clean up the mess that her government did leave behind.

I also follow in the footsteps of one David Warner, a former Speaker of this place. David Warner is a very nice man, a very balanced individual who worked very hard. He was a good Speaker in this place. He's doing very well. I think he's back in the teaching profession now and I wish him very well in his endeavours. He's contributed very much to this place.

Frankly, somebody who would be very interested in this bill as well would be somebody I would consider to be my mentor, probably more than my mentor, and that's one Frank Faubert. Do you remember Frank?

*Applause.*

**Mr Duguid:** Frank Faubert served in this place from 1987 to 1990. I happened to serve as his executive assistant during those years, and despite my poor advice, he did very well here. He really enjoyed his years at Queen's Park. I don't think anybody respected this place more than Frank Faubert did.

There are a number of things I learned from Frank. One was that to get ahead in life there's one thing that you can't substitute for, and that's hard work. Frank was one of the hardest-working individuals, and I hope I can live up to those expectations.

Secondly, Frank respected everybody on all sides of the House and he was friends with people on all sides of the House. I hope to follow in those footsteps as well.

Thirdly, Frank respected everybody. Whether it was the Premier or the mayor or a head of state or whether it was the janitorial staff or the cafeteria staff, he treated everybody the same. That's something I think we can all learn. As Frank would say, you can't fake it. You either care about all the people you serve or you can try to fake it, but if you try to fake it, you're not going to get away with it. That's something that I think helped Frank very much, and that's why he went on to become mayor of the city of Scarborough. In fact, he was the last mayor of the city of Scarborough and he probably would be mayor today had it not been for the Tories' vengeful amalgamation of the city of Toronto. The residents of Scarborough to this day are disappointed at the fact that the former city of Scarborough no longer exists and that it's an amalgamated city. They're doing the best they can with the amalgamated city. I enjoyed the years I spent on Toronto council, but at least now they are going to have a government here in this chamber that's going to listen to them.

I've got to tell you, in all the years I spent, the nine years I spent at the local level and the six years in the new city of Toronto, time after time I'd come to this place with a legitimate request for assistance, not begging for things we weren't entitled to, just asking for the things that every other city on the face of this planet gets, and every single time that door was slammed in my face—every single time. Not only mine; it was slammed on everybody who was at the city of Toronto and in municipalities right across this province, frankly, Hamilton, Windsor, Brantford, St Catharines, Niagara Falls, all over the place. So it is time for a change, and I think municipalities are going to really see a difference when they come here and ask for help.

This was not the bill that I think we all had in mind when we were running in this last election. I don't think this is the bill that we thought we'd be debating this early in the campaign. We're builders. The Liberal Party and my colleagues here today ran in this last election and have worked here for a long time, those who got re-elected, because we're builders. Unfortunately, we've been stuck with a situation where unless we fix the mess the Tories have left behind, that building is going to be extremely difficult.

We came here to rebuild our education system after years of neglect: classrooms that were overcrowded, students who—and many of you probably heard this—would go into the washroom and couldn't even find soap to wash their hands.

**Interjection:** Shame.

**Mr Duguid:** It was shameful. A lack of textbooks—no textbooks in some cases. We came here to rebuild the education system, but we can't. That's why we have to work on this bill here before us today.

We came here to rebuild a health care system that was deteriorating, almost getting to the point where it looked

like it was going to be beyond repair. I'm confident we can get that health care system rebuilt. I'm confident we're going to do it. But because of that mess that was left behind, it's going to be a lot tougher than we thought it was going to be. That's why we've got to show leadership on this bill and make sure this bill gets through, so we can get beyond this Tory deficit, and this bill's going to go a long way to helping us do that.

We came here to fix the auto insurance problem. We saw the rates skyrocketing under the previous government. It was a mess that they created in auto insurance, and they weren't willing to do anything about it. Well, we are, and it starts today. We're going to get that auto insurance system fixed up. We're going to get those rates down.

We came here as well to repair the relationship between the federal government and the government of Ontario and the relationship between the government of Ontario and the municipalities across this province, because we know that the only way we're going to accomplish our goals is if we can get everybody singing from the same hymnbook, everybody working together, and we're going to do that.

**Hon Mr Bradley:** We are family.

**Mr Duguid:** We are family. But we're here today to talk about energy. Look at the energy system that we've inherited.

**Hon Mr Bradley:** Michael Prue said, "Raise the rates."

**Mr Duguid:** Michael Prue wanted to raise the rates. Well, Michael Prue is an old colleague of mine and he said a lot of things on Toronto council that he's going to regret. But one of the things we have to do is try to rebuild this energy system. It has been left in a mess.

**Interjection:** Who messed it up?

**Mr Duguid:** We know who messed it up. It was the Tory government that messed it up. The previous government left us in a fiscal morass. Frankly, the previous government's fiscal credibility is in absolute tatters. We're talking about a Tory party here whose reputation was supposed to be that of the best fiscal managers around. That's what they talked about for years. It was all a sham. That's what we found out here today: it was all a sham.

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The other thing this bill does that is extremely important is that it speaks to conservation. Conservation is a very, very important approach that we have to take. Unfortunately, the previous government never spent one iota of time on conservation. They were too busy concentrating on privatization. They were running around trying to figure out how they could privatize the system instead of trying to figure out how they could fix the system. This system needed to be fixed. This energy system was lacking. They knew about it from day one. In fact, there were warnings nine years ago, if not before, that we didn't have enough sources of energy to drive our energy needs in this province. They ignored it. Did they go to Quebec and try to get a better deal? No. Did they go to



Manitoba, like we were going to do when we were in power between 1987 and 1990? The NDP walked away and cancelled it. That would have been help for us in the last little while. Did they do that? No, they didn't see the big picture. They were too busy concentrating on the privatization issue when they should have been looking for other alternatives. They should have been looking.

Did they look for things like cogeneration? Did they invest in cogeneration opportunities? Cities and countries around the world have recognized that cogeneration is a wonderful way to put energy back into the energy grid and to look after the energy needs of big energy users. Did they look into that like others who are advanced thinkers, bigger thinkers? No, they were too busy concentrating on privatization. Did they look into things like wind generation of energy? That's something we see all over the world. In Europe, it's been around for years, almost for centuries. It's been around for many, many years. Did they look into wind generation? Absolutely not.

Right now at the Toronto waterfront we have a wind turbine. The engineers get very upset when you call them windmills; it's a wind turbine that we have at the Toronto waterfront. We have one as well in Pickering. Are they there as a result of a commitment from this government to wind generation? Absolutely not. They're there because others have pressed to try to get pilot projects up and running. What they should have been doing was trying to find ways to encourage wind generation, try to encourage, whether it be municipalities, companies or whatever, to start investing in wind generation because there's lots of opportunities there. Other countries and jurisdictions around the world have been able to do that and to do it with great success. We should be doing that here in Ontario as well.

It's not going to happen overnight. It's going to take some time. We're going to have to put some systems in place to look into these issues and try to find ways that we can generate this green source of energy power. It's something that we're committed to do because we need to do it. For eight years they've been sitting on their hands and doing nothing.

Then we look at things like natural gas. Where are the other alternative sources for natural gas and the use of natural gas as energy sources?

*Interjections.*

**The Acting Speaker:** Order. Excuse me. I'm having difficulty hearing the words of the speaker. Could we have a bit of peace and order? Member for Scarborough Centre, please continue.

**Mr Duguid:** Thank you very much, Mr Speaker. I know my comments are so riveting that the members opposite are really enthused.

Another area we should be concentrating on is use of waste for energy provision. That's something we're looking at, whether it be use of landfills as a source of methane gas, whether it's other energy uses that some are for, some are against, but it's certainly something we should be looking at because other jurisdictions around

the world are utilizing it. We should be looking at anything that is environmentally sound, that's clean and green, that creates energy, that other jurisdictions around the world are doing. This province should be at the forefront of that movement instead of lagging behind like we are right now.

Members of the Legislature, it's disappointing for us when we hear members opposite say that they're shocked, as they did this morning. I think it's appalling that the members opposite would be getting up and trying to shift the blame for the deficit by playing with numbers. Instead of coming forward with our finance minister Mr Sorbara's numbers or the Premier's numbers or even Mr Phillips's numbers, instead of coming forward with numbers from a politician, we went to an independent source, a respected source, an auditor who's respected by all members of the House—at least he was by the members opposite previously. We went to a third-party source to get legitimate numbers that the people of this province could believe in.

They indicated that the size of the deficit was \$5.6 billion. That's not a small accounting error; that's a massive, massive amount of money by which we are in deficit right now. In fact, my understanding is that this Provincial Auditor—I could be wrong; correct me if I am—was appointed by the NDP when they were in power. So I know they respect this auditor's numbers. The previous government kept this auditor in place when they were there, so they respected him as well. These are legitimate, bona fide numbers, yet they're questioning the integrity of this auditor by suggesting that those numbers are not correct.

I mean, give me a break. That government is responsible for that deficit and they should be carrying the can on it. We're not going to carry the can on that deficit. They created the problem; we're going to fix it. We're going to fix that deficit. It's not going to be easy. It's going to require tough decisions. I would expect the members opposite to support us in trying to clean up their mess. But no, they're not supporting us; they're trying to oppose every step of the way—at least the members directly opposite, anyway. It's very disappointing to hear some of the questions we've been hearing in question period on these things. I find it very disappointing.

As to suggesting that we're not rolling up our shirt sleeves—that's what this bill is all about. This minister, probably the most competent energy minister we've had at least since 1990, rolled up his shirt sleeves the day we got elected to start working on these problems, as did this government. This rolling-up-the-shirt-sleeves thing—why were their shirt sleeves not rolled up when they were in government for eight years?

**Hon Mr Bradley:** They couldn't get their cufflinks off, the diamond-studded cufflinks.

**Mr Duguid:** The member indicated they couldn't get their cufflinks off, and that's probably true—the nice, pure gold cufflinks.

We have a difficult challenge in front of us, and in fact we're probably going to have much tougher legislation

coming forward than this bill. It's going to be difficult for us, but we're committed to doing the things we said we are going to do. We're committed to getting that education system fixed up. We have to do it; students across this province are counting on us to get that education system fixed up, students in classes of up to 40 kids. You cannot teach a kid, especially if a kid's got special needs—there's no way those special needs are going to be given any attention if they're in a class of over 40 kids. Without bills and without tough legislation like this, we're not going to be able to tackle those problems.

Look at the condition of our schools. I heard the member from Eglinton-Lawrence talking about the condition of the schools. Frankly, I've been in schools that—I don't want to call them Third World schools, but certainly their condition is embarrassing, totally inappropriate. These are our young people. They should have decent places in which to learn and to be taught, and the condition of some of our schools is just ridiculous. The sports fields that they have to play on—I know across my riding and probably across this province—aren't even close to the condition they used to be in. People are embarrassed by the grass that's growing in front of the schools, in the sports fields. They're making our communities look very downtrodden.

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All this is coming from the lack of funding, the lack of attention our education system had from the previous government, and we're not going to be able to tackle those problems until we get that deficit down. That's what's frustrating for us. As I said, we came here to build, but we're going to have to work on that \$5.6-billion Tory deficit, we're going to have to work it down, and we're darned determined to do that. We have no choice but to do that.

**Hon Mr Bradley:** I have someone for you to welcome.

**Mr Duguid:** I understand, Mr Speaker, that we have the chair of the regional municipality of Niagara, Debbie Zimmerman, in the members' gallery here with us today, and she's now the CEO of the Ontario Grape Growers' Marketing Board.

If anybody knows how important it is to turn this deficit around, if anybody knows how important it is to get this energy file back on track, it's the grape growers, because they need a sustainable source of energy. Like all reasonable people in Ontario, I think they're willing to pay a little more to ensure that they get a reasonable and reliable source of energy. They recognize that if they don't pay a little more through bills such as this, it's just going to be taken out of their pocket anyway, out of having to fund the deficit through general revenues. They're going to pay for it one way or another. If they're going to pay for it one way or another, they may as well pay for it in a way that's going to encourage people to conserve.

That's where I give the Minister of Energy a great deal of credit. He has had the vision to recognize that you should reward those who are conserving with lower

prices. I think that's a very important signal to send to all Ontarians, whether it be homeowners, apartment-dwellers, whether it be businesses—

**Hon Mr Bradley:** He's a visionary.

**Mr Duguid:** Absolutely. The minister is a visionary when it comes to the energy file, because he's recognizing that that's where we've got to go. We've got to ensure that people conserve energy. There are many, many ways they can conserve energy, whether it be making sure they shut off their lights at night or whether it be taking all the different energy measures that we're going to be encouraging them to do.

One of the problems we've had over the last number of years, the last eight years, to be exact, is that with this focus on privatization we've totally forgotten about energy awareness programs across this province. People have forgotten all about that. We all remember that for previous governments, the previous Liberal government and even the previous NDP government, conservation was a very important part of energy policy. That seems to have been lost on the Conservative government. It's time now to start concentrating on conservation, because that's where we can make a really big difference in terms of our future energy needs. The more we can conserve, the less we have to produce, and the less we have to produce, the more we have to spend on this energy file. So it makes sense, rational sense, to try to encourage the people of Ontario—as I said, not just homeowners but businesses as well—to try to conserve as much energy as they possibly can.

This is also going to be a partnership with the people of Ontario. We're going to be counting on the people of the province to join with us in this effort. They recognize what we're going through here on this side of the House. The people I talk to in my riding are not buying the Tory line of this being a non-deficit situation. They know that times are going to be tough for the province for the next little while. They also know that we're very, very committed to doing the things we said we are going to do, but they recognize that the reality is that we're here to serve the public interest, and the public interest is to make sure that we perform our duties responsibly, that we're a fiscally responsible government, that we can make sure that this province is sustainable into the future.

This is not just a one- or two-year experiment; this is something that we have to do. We've got to turn this province around fiscally, and the only way we're going to do that is if we make tough decisions like those in front of us today.

It's never easy to tell people that their rates are going to have to go up. That's never an easy thing to do. We're going to be going back to our ridings over the Christmas break and we're going to have to tell people, "Yes, your energy rates are going to have to go up." We don't have a choice. We're going to have to explain to them why those rates are going to have to go up. Well, the main reason is that we've been stuck with a \$5.6-billion Tory deficit that's preventing us from doing many of the things that our hearts are set on doing.



We talked about education, we talked about health care, we talked about an investment in municipalities—and we know that we need to invest in infrastructure in municipalities. We're there for them. We're committed to them. There are a lot of former members of council who were elected to this place in the last election. So we understand the needs of municipalities. The problem is that we've been stuck with this \$5.6-billion deficit and we're going to have to work like heck to try to find the money that's needed to try to start rebuilding the infrastructure in our municipalities.

We're going to have to count a lot on the federal government, that they'll be able to start investing with us as well. We know they're going to be there for us. We know we're going to have a better relationship with them than the previous government did. I can tell you one thing we're not going to do is play politics with things like the SARS issue. We're not going to be playing politics with SARS. We're not going to, just before an election, pretend that we don't want to receive federal dollars to help with SARS, trying to make a political issue out of it so that they can then hammer the provincial Liberals. We know exactly what was going on there, and it didn't work. The people didn't buy it. They don't want to see governments shooting arrows at each other; they want to see us all working together. And that's what they're going to get over the next number of years.

This is an important bill to ensure that we can carry on with our agenda. This is an important bill to ensure that the people of this province know that conservation is going to be critical to ensuring we have a sustainable source of energy into the future. People showed confidence in us in the last election because we know we're going to be able to produce those clean and green sources of energy. We know there's a better way of doing things than we've seen over the last eight years. They know our commitment is true. We know we're going to be looking at other jurisdictions. We're going to make Ontario a best practice when it comes to energy provisions.

I've got to tell you, this is a new experience for me. I'm used to being on a city council where you've got five minutes to speak, and you're lucky if you can get an extra 10 minutes, so you try to speak as quickly as you can. Here I find it totally different. In fact, there are times—and I'm not saying I was doing this today—when you kind of have to speak for a little longer than you might have wanted to speak. I know that doesn't happen too often, but it is going to be a bit of an adjustment to have to try to do that.

I am honoured that the people of Scarborough Centre have sent me to this place. I'm proud to be part of a government that's going to tackle these problems head-on, that's going to level with the people of Ontario, that's going to take some of the tough political decisions that we're going to have to take to get this Tory deficit dealt with. We're going to do it and we're going to come back and come out with those commitments that we made during the provincial election. We're going to deliver on

them, and four years from now, the people of Ontario will have seen a real big change in this province.

**Mr Michael A. Brown (Algoma-Manitoulin):** On a point of order, Mr Speaker: I would like to bring the attention of the House to Peter Gravelle, who is in the gallery here. He is the brother of the fine member for Thunder Bay-Superior North. Peter works at the George Jeffrey Children's Treatment Centre in Thunder Bay as the clinical manager of programs. Welcome, Peter.

**The Acting Speaker:** The House welcomes you. The floor is open for comment.

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):** I would like to congratulate the member from Scarborough Centre on his maiden voyage here tonight.

*Interjection.*

**Mr Yakabuski:** Absolutely.

I'd also like to welcome Mr Gravelle. From that vantage point there, you cannot become a member of Dalton McGuinty's promise-breakers club. You cannot become one from there. You can only become one from inside this House. I see that the Minister of Energy has taken his seat, and I want to welcome him and congratulate him on becoming the charter member of Dalton McGuinty's promise-breakers club.

*Interjection:* I sense a theme here.

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**Mr Yakabuski:** There is a theme. What we want to talk about is the hydro promise broken. Then Leader of the Opposition, Dalton McGuinty, campaigning to be Premier of Ontario, said that 4.3 cents per kilowatt hour would be in place until 2006. Shortly after the swearing-in we found out that that promise would be broken. They say we can't afford it, under the guise of a bogus deficit number arrived at with the compliance of hired hand Erik Peters, former auditor general, who railed against the government of this House for the last eight years and was constantly questioning their spending habits. So what better person to come up with a \$5.6-billion figure for a deficit?

So here we have the Minister of Energy telling the people of Ontario that you are going to pay more for hydro. It's just another example of the hand going in the pocket. The pockets will soon be empty and I don't think the people of the province can suffer this government much longer.

**Ms Shelley Martel (Nickel Belt):** Let me begin with the comments by the member for Scarborough Centre. He said, "I didn't think we'd be here so early dealing with this bill." Brother, I didn't think you'd be here dealing with this bill at all, because you were the party during the election campaign and before the election that promised that the rate caps were going to stay in place until 2006. I'm sure that there were a number of people who voted for you based on that commitment.

Let me remind you what was in your election document. Here it is: "We will keep the price cap in place until 2006. We do not believe that you"—the taxpayer—"should pay the price for the government's mistakes." That's from Hydro You Can Trust, The Ontario Liberal

Plan for a Modern, Public Hydro. We wouldn't be here at all dealing with the removal of price caps if you guys weren't, yet again, breaking another promise.

With respect to the member for Sault Ste Marie, who tried to blame the NDP for the supply mess, he referenced the Manitoba contract. Someone forgot to tell the member for Sault Ste Marie what his own leader had to say. I think Dalton McGuinty forgot what he had said about Manitoba as well. Before the campaign started Mr McGuinty was trying to say that the NDP should have gone forward with this deal, but here's what Dalton had to say on April 30, 1992, when he was the environment critic: "Does the minister continue to support the Manitoba purchase?" and "We ... know it's cheaper to produce this electricity in the province than it is to buy it from Manitoba.... We know that if we cancel the deal today, it's going to cost us \$82 million, but if we wait until the end of the environmental assessment hearing, it's going to cost us over \$200 million." He went on in the supplementary to encourage the Minister of Energy to cancel the Manitoba transmission deal. That's what Mr McGuinty's position is. I guess someone forgot to tell the member from Sault Ste Marie before he started his remarks this evening.

**Mr John Wilkinson (Perth-Middlesex):** I find it passing strange in this House to realize that there are those who forget their previous positions. For example, there is a leader in this House of a certain party, Howard Hampton, who on page 18 of Public Power says, "I am not ideologically opposed to private power any more than I am opposed to private restaurants, clothing stores or car dealerships." I'm sure the car dealers and the store owners are happy at that.

When I was speaking last year and had the former wonderful member from Renfrew-Nipissing-Pembroke, who was a grand member and has now been followed by another member, he said there are two immutable laws of physics that one must know about hydro. The first law is this: You cannot store megawatts. Oh, you can store the power in a little Eveready bunny rabbit battery but you cannot store megawatts. That's a law of physics. The second law of physics that we always have to remember—and I know the minister knows this—is that whenever demand exceeds supply, everything goes black in this province. That's what happened.

Can you believe that in the strongest province in the Dominion, on every hot or cold day we are reliant on the American grid? Of course, we all know how reliable the American grid is. We've learned our lesson. This government is committed to fixing the problem that we have inherited, not the problem that we created. That's why I'm very proud to support the minister in this bill, doing the tough work that has to be done.

**The Acting Speaker:** The minister has two minutes to respond.

**Hon Mr Duncan:** I want to congratulate my colleague from Sault Ste Marie and my colleague from Scarborough Centre for outstanding first speeches in the House.

Let me say to my friends in the NDP that you voted against the cap. You said it was the wrong thing to do. Here's what Howard Hampton says in his book on page 219: "Reducing energy consumption always makes environmental sense, whatever the current cost of power," and you're voting against the biggest conservation effort in the history of Ontario. Two different policies, two different days—same gang.

To my new colleague from Renfrew-Nipissing-Pembroke: It is time for your party to get its head out of the sand on this issue and start dealing with reality. Your constituents are paying for your mistakes through their taxes. That's wrong. We're fixing it. By fixing it, what we're going to do is ensure that people pay a fair and stable price, something you didn't do. Your party left them on the spot market. Their bills went like that; the poor, the rich—it didn't matter who.

You know what? You flip-flopped. You changed your position. They changed their position on energy 11 times from 1998 to this year. You're over there because you did that. We don't need a lecture from you about how to manage the power sector. For 13 years now that government and the NDP cancelled all conservation programs. You threw the thing apart to the point that it's going to take years to fix. But we're not going to shrink from that challenge; we're going to meet it. We're going to ensure that the future energy supply of this province is safe, clean, affordable and stable. That's something that has been lacking. This bill begins to do that.

There's more to come. The members on this side of the House and our colleagues there understand that. We're going to fight for it. We're going to make this province a better place and fix what you left.

**Mr Dunlop:** Mr Speaker, I have the understanding that we have unanimous consent to stand down our lead-off speaker and go into a 20-minute rotation of our speakers. Our leadoff speaker couldn't be available to-night. Is that agreed?

**The Acting Speaker:** Is there unanimous agreement? Do I hear any nays? Go ahead.

**Mr Dunlop:** I'm pleased to be able to rise this evening to speak to Bill 4. I find this a very interesting piece of legislation. I want to congratulate all the members who have spoken on it so far, and congratulate the new members, and the member from Shakespeare, Mr Duncan, for his theatrics. It's very interesting to listen these things.

I've got a lot of different points I'd like to raise this evening. First of all I'd like to point out that we call this the hydro rate-hike bill, or as the Liberals call it, the Ontario Energy Board Amendment Act, 2003—the 9% to 27% increase in hydro costs for young and old.

I'd just like to take a moment, because I think we're going to have a lot of debate on this piece of legislation, to say first of all that I've had a long career in municipal politics, beginning at the very early stages, in 1980, of our hydro commissions in our small villages and townships. Mr Speaker, you've probably had the same type of background. It's amazing how things have changed.



## 2000

I knew back in 1980 that we were accumulating a huge debt with the reactors, Ontario Hydro etc. But in the little village of Coldwater that I represented—I'm telling you, there were a lot of small utilities in the area—somehow we survived. We tended to have a non-paid board of directors operate the municipal electric commission. We turned to Ontario Hydro for advice. I'm sure everyone has been through that stage back in those years between 1980 and 1990. I think we did a fairly good job, although at all times Ontario Hydro dictated the increases in price that we could actually send through. Then, of course, that had to be approved by the Ontario Energy Board.

I think we always were aware that in Ontario we were slowly accumulating a fairly large debt with Ontario Hydro. We knew that somewhere down the road it was going to cause a lot of problems for—I didn't realize at that time—the provincial government. Certainly the buck stops here and it's our responsibility.

I actually learned a lot in those days about the hydro system. I'm not trying to brag about my knowledge of it but I learned about the oils in the transformers, the ones that can contaminate the soil and that sort of thing. We learned about transmission lines, the purchasing of hydro and the purchasing of transmission lines from Ontario Hydro. For me, that was fairly good training. I was able to work over the next 18 to 20 years with Ontario Hydro representatives and our local power commissions. We had a series of operators and employees with our small utility. I think it gave me, in my opinion, fairly good insight into the operation of a small utility in Ontario. Of course today, as a provincial representative and a member of the opposition, and a past member of the government, it's given me the opportunity to have a lot of insight into what's actually happened here in Ontario.

It's very disappointing for any member of this House to actually lay the blame for any hydro problems on any particular government. I think every political party can bear some of the blame at different times for the different problems. I listened to the theatrics of Mr Duncan, the new Minister of Energy—and I do congratulate him for that portfolio. I know he has a huge job ahead of him and I'm so glad that already this evening so much has been put on Hansard. When people start receiving their hydro bills—I'm thinking of the ones that arrive sometime in July, August and September—it will be very interesting to see the response at that time. We'll be able to refer to all the comments made here this evening by people who have talked about this bill tonight and badmouthed our government at the time.

I did want to read into Hansard, because I think there are a couple of things that are really important that we read in. I haven't seen this particular piece. It's the conclusion to the report. We call it the bogus review of creative accounting by the independent consultant. You guys call it the review. You'd think it was an audit. It's actually about four pages long.

I would like to read in the conclusion statement that Mr Peters actually said:

"Since the 2003-04 fiscal outlook updated as of October 24, 2003, and the projected deficit contained in that outlook are based on assumptions regarding future events, actual results will vary from the information presented and the variations may be material. In this regard, table VI lists a number of additional risks not included in the projected deficit amount, while table VII lists uncertainties with positive potential. Also, government decisions after the date of this review (for example, whether to set aside funds against contingencies for the rest of the year, as noted under Observations) will have an impact on the projected deficit. I consider the projected deficit, before the impact of risks and uncertainties, future government decisions and unforeseen events, of \$5.6 billion to be based on assumptions that are reasonable at this time. For the reasons I have outlined above, I express no opinion as to what the actual deficit for the year ending March 31, 2004 will be."

I noticed also—and I want to put this on the record as well because obviously the government is trying to blame us for as many things as they can—and want to mention that in all of Mr Peters's comments I have seen nothing about the horrific types of things we've seen in 2003. I'm going to point out things like West Nile, like the black-out, which of course the province of Ontario could not be blamed for, like the SARS epidemic and mad cow disease.

I think it's very important, Mr Speaker—and it's good to see a new Speaker in the chair also, just moved in there—that we point out that when we had the terrorism attack on New York City in 2001, which had a dramatic impact on the province, the government of Ontario under Mike Harris at the time, and then Premier Eves, got to work and actually balanced the budget. The same sort of thing can be done today. We've seen in the last few days a government that has no intentions of even making any attempt whatsoever to balance our budget. As a result, it's disappointing, because as Mr Peters says in his bogus review, there are certainly the opportunities to do so, but we don't have the will from the folks here to actually make that happen.

I'd also like to read into Hansard, because I think we'd like to come back to this over the next few days, a few comments from different people across the province on this particular piece of legislation. I have to read comments out of the platform of the Ontario Liberal Party previous to the election. I would like to read it very quickly.

"No more coal: We will shut down Ontario's coal-burning power plants by 2007 and replace them with cleaner sources of energy.

"It is hard to believe, but at the beginning of the 21st century we still burn coal, the dirtiest way to generate electricity. Our five coal-burning plants are the worst polluters in Ontario. They create smog and threaten our health."

We clearly heard in the platform the date of 2007. Unfortunately, we didn't hear that in the throne speech. It's very disappointing. With the coal-burning generators I feel already that, as our party said, 2015 was a more realistic date. As a result of that, I think we're going to see another broken promise right there alone.

Let's hope they're right. I'd love to see the coal generators all shut down by 2007, but I don't think it's a possibility or will actually be a reality from this new government.

"We will bring clean, renewable energy to Ontario." This again is part of the Liberal platform. "We will require that Ontario electricity suppliers obtain at least 5% of their electricity from new, clean, renewable sources by 2007 and 10% by 2010." That's a promise under the Liberal platform.

"We will expand power generation at Niagara Falls, creating enough new, clean electricity to power every home in a city the size of Brampton."

That's why I want it in Hansard, ladies and gentlemen and Mr Speaker, because I think it's important that this is actually on the record and in our Hansard as we go along, so that as we approach the next election, which of course will roll around very quickly, this sort of information can be brought forward to the citizens of our province.

"The days of burning coal will soon be behind us. We will move to clean alternatives like natural gas and exciting renewable sources like hydro," which we've already had, "wind and landfill methane. This will increase supply, open up new markets and create thousands of new clean energy jobs." I notice that the Minister of Environment is here tonight and I'm going to be very excited to see landfill methane projects actually incorporated into our waste management systems across our province, allowing the municipalities of Ontario to actually use landfill methane and have quick approval from the ministry. We have some huge problems up in our part of the province with landfills being very, very close to aquifers, and some new applications and new approvals that have seen landfills close to aquifers. I'm very excited that the minister and the Liberal platform actually call for this type of promise.

**2010**

Reducing electricity costs is another part of the Liberal platform: "We will help Ontario homes and businesses reduce their costs and cut their electricity consumption at least 5% by 2007." Did you hear that? That was in the platform: 5% by the year 2007. What did the price increase today, with the introduction of this bill, that we'll see in March? It's 9% to 27%. So it will be really exciting for the citizens of Ontario to see a 5% reduction in their consumption by 2007.

"We will introduce effective programs to encourage residents to reduce their home energy consumption. At the same time, we will work with commercial and institutional customers, especially hospitals, schools, colleges and universities, to lower their electricity use." That's another one.

"Within industry—"

**Hon Leona Dombrowsky (Minister of the Environment):** Good idea to conserve energy.

**Mr Dunlop:** They're all lower costs, and you went up 27% with the introduction of this bill today.

*Interjection.*

**Mr Dunlop:** I'm going to tell you right now, to the Minister of the Environment, who is heckling me over there, you're looking at a minimum of 200,000 jobs lost in Ontario as a result of this bill today.

Now I'd like to take some information off the Web site: "We will keep the price cap in place until 2006." Isn't this 2003 today? I thought it was around November 26, 2003.

*Interjection.*

**Mr Dunlop:** I hear the Minister of the Environment heckling me again over there and, of course, she still thinks she got a good audit from the independent consultant they hired to produce that bogus review. The fact of the matter is they—

*Interjection.*

**Mr Dunlop:** OK, let me continue on with their Web site: "But the cap cannot last forever. You deserve a government that will plan ahead, so that when the price cap is lifted in 2006"—I think it's still 2003—"you will have the ability to control your costs." That was good. I'm really glad that the new Minister of Energy and our brilliant new Premier are keeping a promise to the citizens of Ontario to keep the cap until 2006, because today I thought it was 2003. But maybe I'm out of touch. Maybe we're three years ahead and it's really 2006. Ladies and gentlemen, this is one more broken promise by this group of people that consider themselves the government of Ontario, and it's very, very disappointing.

I heard Mr Duncan, our Minister of Energy, talking about all these comments he had from people across the province. I've got a couple of minutes to read a few comments as well:

"Ontario's new Liberal government has broken a key campaign promise, and introduced legislation to raise retail electricity rates. Is that a fair move? Has the government gone too far—or not far enough?"

"I was not surprised by the shortcomings of promises from the Liberals. They are all politicians and it doesn't matter what party they represent they are all liars." That comes from someone named—

*Interjections.*

**Mr Dunlop:** This is a comment, Mr Speaker. I hope that's not a—

**The Speaker (Hon Alvin Curling):** It is, and would you withdraw it?

**Mr Dunlop:** OK, I will withdraw the statement by Robert Reeson. That is a statement off the Toronto Star Web site.

**Mr John O'Toole (Durham):** No excuses. Withdraw it.

**Mr Dunlop:** I've withdrawn it.

*Interjection.*

**Mr Dunlop:** I'm sorry, but I've got to read these. Duncan stood and read them for 10 minutes.



"I am on the verge of never voting again because every member of every party makes campaign promises that they always break, although the speed that McGuinty is breaking his is truly astonishing and unprecedented." That's from Gary Allen of Pickering, Ontario. He probably knows a lot about nuclear reactors.

"This new government broke a promise, and now I have doubts that it can be trusted." This is from Artur Halota from Mississauga, and this is just today.

"I agree the price cap is unsustainable. We all pay for this indirectly in the form of tax and I'm glad this promise was broken. But it should never have been made." Once again, they made the promise.

"The Mike Harris government inherited the largest deficit in Ontario history from the Liberals and then NDP in 1995, but they kept all of their election promises." That was the Mike Harris the people were attacking today, the guy who created one million new jobs in Ontario.

**Interjection:** Are they all working for Mike Harris now?

**Mr Dunlop:** No, but they are paying their taxes to the federal government in Ottawa, and the guy who's going to be the new Prime Minister, I believe, is the guy who has his flag, his ships, from different islands.

"The Liberals need to be held accountable for"—well, I can't read this one, but for the ladies and gentlemen out there who want to read the Star Web site, it's from Andrew Buchan from Cambridge, Ontario, November 26. It's not very flattering to the Ontario Liberal Party.

"The attitude of this government is typical of the disappointing governments in the developing world—promise anything to win the elections, and once elected, blame everything on the previous government." That's from a gentleman named Mr Gill from Toronto, on November 25.

"Higher hydro prices will lead to less consumer spending, less business activity, fewer jobs and decreased tax revenue. Subsidizing hydro would be cheaper. On a different note, I am anxiously waiting for the ... Liberal promise to be kept." Gabor Takacs from Toronto, November 25.

I can go on and on. There's pages of these. Mr Duncan, of course, spent his whole speech grandstanding. I saw his theatrics, and for a while I thought he was out of a Shakespeare play. Quite frankly, he spent his whole speech reading comments about our government and about the NDP, and how wonderful they were over there. The fact of the matter is, we know there's been a major, major promise broken here with the introduction of this bill. It will have a negative impact on the families and the businesses of the province, particularly when you follow it with the largest tax increase in the history of Ontario, which was introduced on Tuesday of this week.

Our government was proud of the million jobs that were created in the eight years we were here. We're proud of the 600,000 people who left the welfare rolls. I wonder, as we roll down the road in another two or three years, if this government will be proud of the hundreds of

thousands of people who will lose their jobs, of the hundreds of thousands of people who will increase Ontario's welfare rates. I look forward to their accomplishments and how they can actually spin that. I look forward to all the 231 promises that we have on this particular sheet, but unfortunately—

**The Speaker:** Thank you. The member for Kenora-Rainy River.

**Mr Howard Hampton (Kenora-Rainy River):** I want to note that the member for Simcoe North has correctly pointed out that it was these members of the Liberal Party who said everywhere across Ontario, before the election campaign, during the election campaign—they said it in speeches, they said it in their campaign document, it was quoted on radio talk line shows—over and over again that a Liberal government would extend the Hydro rate cap to the year 2006. People who voted in the election were led to believe that was the policy of the government.

I know the Liberals are now somehow trying to revise history. They're saying, "Gee, that rate cap cost \$800 million." Well, we knew in May, in June, in July that the rate cap cost \$800 million. What changed?

Then they say, "Oh, well, there's a deficit." The then Liberal finance critic, Mr Phillips, on June 3 in estimates committee added up the cost of SARS, added up the lost tax revenue due to lower performance of the economy. He added up no \$2.2 billion in sales, no \$700-million in-year savings. Then he added up possible failure of the federal government to turn over the \$700 million in OHIP funding. He added up all the numbers and said that the previous government had a \$5-billion-plus deficit risk. That's what he said.

All of these things were known when you made the promise. I simply ask, what changed?

**2020**

**Mr Dominic Agostino (Hamilton East):** First of all, hearing a lecture from the leader of the NDP about broken promises is as much as anybody in this House can bear. I mean, the kings of broken promises sit to the far right of where I am right now and certainly have no right to lecture anybody with their history.

But I want to talk about the price cap. The member from Simcoe North went on with this rant. The reality was that Ernie Eves, in one of the 12 positions he took on hydro when he was Premier of Ontario and running for leadership, said this would be revenue-neutral. The Tories said, "It's not going to cost the taxpayers a cent." That is as accurate as when Ernie Eves and Janet Ecker said, "There's no deficit," that there was a balanced budget. Remember that? Now we find out it's costing \$800 million a year. It would be absolutely irresponsible for this government to continue down the path that had been set by the Tory government in those past eight years, a Tory government that told taxpayers, "Don't worry about it. Be happy. Your rates are going to be low. There's going to be a cap and it's not going to cost you a cent"—\$800 million per year. That would be grossly irresponsible to continue.

I think the plan we've outlined is a solid plan. It's a gradual increase. It promotes, for the first time in the history of this province, conservation, which should have been your aim. People who consume less will pay a lower rate. Yes, this is going to be a hardship on some people. I agree that some of the things we have to do are going to be difficult in the short term for the people of Ontario, but understand we've got to clean up your mess. Understand that you've been in power for eight years and you left this province in a mess. The only party who ran a greater deficit than you was the NDP. You're second in the history of this province. You left a mess in this province and now it's going to be our job. It's the responsible job of government to clean up the mess and not hide our head in the sand and pretend everything's wonderful. We're going to fix it, we're going to do it responsibly, and we're going to do it in the best interests of the people of Ontario, who elected us to—

**The Speaker:** Thank you.

**Mr O'Toole:** I was very impressed, and that's why I came back into the House: to show respect to the member from Simcoe North, who actually tried to dwell on the substantive difference between this government and the previous government—that is, our government—and how we stuck through the difficult but necessary decision on freezing the rates. We had a four-year plan, and in fact the Liberals voted for that plan. Then they ran in the election on that plan and then immediately broke it. As the member from Simcoe North very admirably pointed out, that's just one more broken promise.

I actually want to respond a bit to the member from Hamilton East. Respectfully, congratulations on your re-election. I just want to say I'm somewhat disappointed that you weren't in cabinet. You worked as hard as or harder than any member, and you sat just about here, roughly. I'm not happy to have the seat you used to have, but nonetheless, keep up the good work.

As long as you're in the backbench, don't be afraid to hold the front bench accountable. We came close to it tonight, because Dwight Duncan, as the Minister of Energy, knows full well that by any other name this is not just a broken promise, it's a tax increase. It's a tax increase on seniors on fixed income, on new home buyers. This is just the first wave of tax increases under the codified name of your energy bill, and it isn't 4.3 to 4.7; it's all the other accumulated charges, the transportation, the distribution charge, and the ever forlorn Liberal GST tax which is added on at the end.

I'm appalled that Dwight is trying to call this bill the right thing to do. In fact, it's doing the very worst thing. It's a tax increase that they promised they wouldn't do. Garfield did a great job.

**Ms Martel:** I want to follow up on the points that were made by the member from Simcoe North, because he has it right when he reminds the Liberals that we are dealing here with a broken promise tonight.

I find it really difficult to hear some of the Liberal members saying, "This scheme wasn't revenue-neutral, and we didn't know that it wasn't revenue-neutral. We

only found that out after Erik Peters took a look at the books." It was public knowledge during the summer, even before the blackout, that the rate cap was costing us over \$700 million and that taxpayers were picking that up on their tax bill; not through the hydro bill but through the tax bill. It was common knowledge and it didn't stop the Liberals from going out during the election and continuing to make the promise that the rate cap would stay in place until 2006.

Second, the Liberals cannot now say that they didn't know about the deficit and therefore have to break yet another promise—this promise on hydro rate caps tonight is the one we're dealing with—that they didn't know about the deficit. For goodness' sake, their Liberal finance critic, who has been a member in this assembly for a long time, who is a well-respected member of this assembly and a well-respected finance critic, was down in estimates publicly talking about a \$5-billion deficit in June. I assume that his leader, Mr McGuinty, knew he was down in estimates doing that. I assume his Liberal colleagues knew he was doing that. He wasn't the only one who talked about a \$5-billion deficit. So did Mr Kwinter, later on in August, to Canadian Press. So it wasn't a surprise, and you can't use the deficit now as an excuse for what you're doing tonight.

I said back when we were dealing with the rate caps and I'll say it now: We should be dealing with a bill that brings back public power; power at cost. That's the fairest thing to do for hydro ratepayers.

**The Speaker:** Response?

**Mr Dunlop:** I'd like to thank the member from Kenora-Rainy River, the leader of the NDP; the member from Hamilton East; the member from Durham, my colleague John O'Toole; and the member from Nickel Belt for their comments.

Quite frankly, I have to agree with a number of the comments that were made. The member from Hamilton East talked about the mess that he inherited. I suppose a million new jobs is a mess. I suppose nine years of economic growth is a mess in some people's minds. I suppose that the government that in the last nine years has created about 48% of all the jobs in the province of Ontario—I think that's a mess.

**Hon Steve Peters (Minister of Agriculture and Food):** Talk about Enron accounting, Garfield.

**Mr Dunlop:** I listen to the minister over there heckling away again like a chipmunk. I thought it was Smitherman at first but it's actually the Minister of the Environment, and I thought he knew better.

But the fact of the matter is, they didn't inherit a mess. They inherited a province in its ninth year of economic growth.

Did they know whether there would actually be a cost to the hydro ratepayers because of the capping? Of course you did. You knew it by January 2002. You knew it exactly.

You knew that would happen. To sit there today and be arrogant and say you didn't know, you're either com-



pletely ignorant or you're stupid; it's as simple as that. Everyone knew in the province of Ontario.

**Mr Dave Levac (Brant):** On a point of order, Speaker: I do believe that that's a little bit over the line. I'm sure the member would want to withdraw that.

**Mr Dunlop:** Mr Speaker, I will withdraw the word "stupid."

**Hon Mr Peters:** How about "ignorant"?

**Mr Dunlop:** It's "arrogance" I used.

**The Speaker:** Member from Simcoe North, just say "withdraw."

**Mr Dunlop:** I will withdraw that, and I thank you for the opportunity to say a few words tonight, Mr Speaker.

**The Speaker:** Further debate?

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**Mr Brown:** I am pleased this evening to take part in this debate. This debate is essentially about providing Ontarians with safe, affordable, reliable electricity.

I may have been here for too long. I've been here for 16 years, and I remember some of the debates and some the occurrences that have taken place over those 16 years. As a matter of fact, I sat on the select committee on energy. I was the vice-chair of the select committee on energy back in the late 1980s. We had a plan before the Legislature committee. We had a plan before the people of Ontario. We had a plan that was called the Ontario Hydro demand-supply plan that was put out by Hydro. It was undergoing environmental assessment and it was put before the members of the Legislature and studied by the select committee. I have a copy of that right here.

It called for a number of things: conservation measures, diversifying our supply of electricity by going to other jurisdictions like Manitoba and Quebec, finding new ways of generating electricity, encouraging small private hydro electricity development, encouraging biomass, and many things.

Do you know what happened to this plan? In the early 1990s, the Rae government decided that public power was a bad thing. They decided that NUG, non-utility generation, was the thing to do. When they finished building the nuclear generation station at Darlington—

**Ms Martel:** No, they finished it under you, Mike; come on.

**Mr Brown:** That is not true.

Since they finished building the nuclear generation station at Darlington in the early 1990s, there has been no significant new generation built in the province of Ontario. We have experienced significant power shortages—we all know that—through last summer and the summer before. We have been importing from states like Michigan, Pennsylvania, Ohio and other American jurisdictions, where the majority of their electricity is generated by coal. The majority of those emissions come to Ontario, because that's the way the prevailing winds are. That is the situation we have been in.

We've been relying on those American states to provide us with the electricity that we need in this province to supply our own industry and residential customers. We have done that because we have not had a regime in the

province that has promoted building enough supply and/or encouraged conservation to make that possible.

So we've come to this point after at least 10 years of neglect of hydroelectricity policy in the province, of a situation where we've had to pay outrageous prices to other jurisdictions to burn fossil fuels that provide pollution to the province, at incredible cost to the people of Ontario. That's where we're at.

We stand here today, and would be totally irresponsible not to move on these issues. What has been put before us here in the legislature is a bill that is being sponsored by the Minister of Energy, the Honourable Dwight Duncan, Bill 4, An Act to amend the Ontario Energy Board Act.

What does it do? It increases the price of electricity by 0.4 cents for people who use electricity responsibly in the province of Ontario on a residential basis. So, if you are using less than 750 kilowatt hours, your price is going to be 4.7 cents—

**Mr Michael Gravelle (Thunder Bay-Superior North):** That's 60% of households.

**Mr Brown:** Well, actually, it's 45% of households, but 60% of Ontarians use less than 1,000 kilowatt hours, and that means that they will be paying, I think, \$5 or \$6 more a month for their electricity.

But what does that do? It helps us with this little problem we have. The little problem is, we have borrowed \$800 million that somebody's going to have to pay for. When you borrow money, you have to pay. At least, that's how it works in our household. They always seem to want to lend you the money, but they always seem to want you to pay it back, and they always want you to pay interest on it. You would know that the hydro debt in the province is somewhere around \$40 billion, and we are paying interest on that \$40 billion; maybe we aren't getting tremendous value on the interest portion that we're paying. Maybe we have to be responsible, or maybe we believe our children or grandchildren should pay for the electricity we use today.

I don't think the people of Ontario believe that. I think the people of Ontario believe that you have to pay the going price for electricity today. You cannot borrow from your children or grandchildren to have that happen. It's totally irresponsible.

When we generate electricity in this province, we generate roughly a third of the electricity from fossil fuels. We in the Liberal Party believe that to be wrong. But we also know that in the short term the price of fossil fuels—the price of natural gas, the price of oil and the price of coal—has risen significantly in the marketplace in the last few years. We still have to use that natural gas, we still have to use that coal and we still have to use oil to provide the electricity. How we are supposed to do that and hold to a price freeze is a mystery to me.

I think what Mr Duncan has done, in introducing this bill today, is to ensure our electrical energy future. It cannot be done with smoke and mirrors. It has to be done with reasonable decisions. We have done that in Bill 4.

First, I should say the bill's provisions do not go into effect until April 1. The gives Ontarians a chance, an opportunity, to inventory their own personal household or business needs, see where conservation can be effected within their homes and businesses and find ways they can maybe even reduce the actual cost of energy they use by more than the price increase. I think Ontarians will be looking for those savings. There are numerous opportunities within anyone's household just by turning off some lights when you're not in the room, just be doing all kinds of relatively small things that will in effect save electricity and save your bill. It is foolish for us to have a policy which says you should have artificially low prices, and encourage use. We want to be a society that responsibly uses our energy and responsibly makes sure that our future generations aren't going to pay for our folly.

The first point is that this does not happen until April 1. The second point is that if you are using what we deem to be a reasonable amount of electricity, a modest amount of electricity to run your household—that would be less than 750 kilowatt hours—you will be paying a very modest increase on the price of the energy. That would be 0.4 cents more, so very little difference to you. For most people, who we're told use roughly around 1,000 kilowatt hours—that's 60% of households—although it will be a little bit more money, it should not be significant. You should be able to save that just through wise use of electricity. But we need to bring to Ontario families the encouragement to do the right thing, which is to use energy wisely.

One of the interesting things I want to speak a little bit about is how this policy deals with apartment buildings. There is a commitment in apartment buildings, when there are a number of units that are not individually metered, that the ministry will have a look at that and will divide it out. For most of those people, the apartment owner will still pay the lower rate because it will be less than 750 kilowatt hours. I mention that because my good friends the Dereskis in Wawa would like to know that finally they are going to get some kind of a break on operating a multi-unit residential building in northern Ontario, something that has been a major cause of concern not just for the Dereskis but for many, many folks in my constituency of Algoma-Manitoulin.

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This bill will also mean that we will encourage generation and we will encourage new opportunities. We will encourage people to go forward with their own projects for wind generation, for example, and I know of at least three, and probably more, groups that are actively seeking to provide wind power generation within the constituency of Algoma-Manitoulin, to provide opportunities for them to go forward with doing the environmentally correct thing. I know you would want to encourage that, of having renewable electricity that will be produced closer to home so we need less transmission, less distribution, less of everything and so provide very good opportunities for those folks to not only provide the

electricity but build their own community around energy opportunities. I also know that in my constituency, where we have a great number of the province's rivers and streams, there are opportunities for small hydro generation that should be encouraged, and that many entrepreneurs will look at these new kinds of opportunities that are provided by a market that is now capable of paying increased prices for their electricity and many of those projects can go forward. That will provide opportunities for First Nations, for smaller communities, for some PUCs, for just a great number of people.

The north is a net importer of electricity. Most people would think that the north, with its great and grand geography, which is over 90% of the province of Ontario, would be an exporter of electricity. Unfortunately, that isn't true. One of our opportunities now will be to get into the generating business in a way that would provide electricity as a kind of economic opportunity now.

Many folks in my riding will find this a very exciting opportunity. We will find the cogenerating possibilities in the sawmills and mills and mines and the other industries within the constituency and the entire northern part of the province. I know Mr Gravelle, from Thunder Bay-Superior North, would find the same kind of excitement within his constituency of providing opportunities to provide these new sources of electricity to the more local of the communities, save distribution and transmission costs and provide greater reliability to places for example like Geraldton, which always have some difficulty, as Hornepayne and some of the other northern communities have, providing reliable electricity because of the length of the transmission lines. With the great opportunities and the great resources that we have in northern Ontario, it's about time that we have those kinds of opportunities.

The cost to this is one that is modest. It's a cost that will be taken out of the hands of the politicians at the earliest possible moment. The bill provides for the Ontario Energy Board to set the price. It provides for the Ontario Energy Board down the road, once it's constituted and the regulations are presented to them, at the earliest possible moment to take over providing power at cost to the people of Ontario and to set that price outside of the political realm at an arm's-length agency of the province. I think that's what Ontarians want. They want a stable price. They don't want the kinds of wild and crazy fluctuations we saw with the insane opening of a market that did not have enough supply in it that happened over a year ago now and that led to the price cap at the 4.3-cent level which bore no relationship to the actual cost of electricity in the province. I'm told the cost of electricity in Ontario during the period was actually 6.2 cents per kilowatt hour. So it's no wonder that you rack up an \$800-million cost of electricity to the people of Ontario.

Now, we have a corporation in Ontario that has accumulated another \$800 million in debt paying for a price cap that bore no relationship to the actual cost of delivering electricity to the province. We have a situation where no new generation of any significant fashion has been built in the province of Ontario for the last 10 years.



We have a situation in the province of Ontario that has not encouraged industrial practices that optimize the use of energy. We have a situation in the province of Ontario where conservation has not been encouraged by the government of Ontario in our households. We have a situation, in short, that was untenable, could not be maintained and will not be maintained.

It is with pride that I support this bill, which accelerates our opportunities in this field and which will provide opportunities for all Ontarians to save, to find new opportunities and to find new conservation and be more environmentally responsible.

With that, I will end my brief remarks this evening and suggest to the House that before one gets too carried away, remember that this is a responsible bill that does the right thing at the right time for the people of Ontario.

**The Speaker:** Questions and comments?

**Mr Yakabuski:** I want to congratulate the member from Algoma-Manitoulin for the 16 years of his constituents placing their confidence in him.

I want to speak to Bill 4, An Act to amend the Ontario Energy Board Act. When this price cap was instituted last year, of course the government, which was then the opposition of the day, voted in favour of that price cap. Now they're telling the people of the province of Ontario that we can no longer sustain that price cap, even though they promised in the election of 2003 that they would maintain that price cap to 2006. They're using as justification the guise of this bogus deficit number they've come up with, because they don't want to take the necessary steps and do the necessary work to deal with that deficit prior to March 31, 2004.

What I would ask them about this deficit is that at the time of the election on October 2, we had almost six months, almost half of the fiscal year left. We still have well in excess of four months left. If you've ever watched the Daytona 500 or the Indianapolis 500, the race is never called after 250 miles to declare the winner. You've got to forge on and you've got to keep going. Many times, in fact most times, the person who's leading at the halfway mark doesn't win the race, because the other guy works harder. This government doesn't seem to want to do what is necessary to tame that deficit they claim they've inherited. I would say it is inflated and invented. They call it inherited; I'll go with inflated and invented.

**Ms Martel:** The member spoke about the market opening and the insane price fluctuations which resulted when the market opened, and that as a result it's no wonder we racked up at least \$800 million on the taxpayer bill that we have to pay. That just goes to show that the open market did not work; it did not lead to lower hydro rates. It begs the question why both the Conservatives and your party ever supported market opening in the first place. The Liberal Party has been a strong defender of the Conservative move to open the market. In fact, it was your leader, Mr McGuinty, in a fundraising letter to energy corporations on Bay Street in October 2001, who said really clearly that, "Dalton and the

Liberal Party have been consistent supporters of hydro privatization and deregulation."

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We should be here tonight with a bill that brings back public power, power at cost, because what is clear is that private power doesn't work. When you take the price caps off, the public is not going to be paying the real cost of power; we're going to be paying the price of private power. You said yourself in your remarks that that price was higher than power at cost. On average, it has been higher than what power at cost was.

I appreciate that you're here tonight trying to defend what your government is doing, which is to clearly break an election promise that you made. The fact remains, what we should be doing is not trying to continue to prop up private electricity in Ontario. We should recognize that electricity is an essential service and we should be providing that electricity at cost. We should get all the fee-takers, commission-takers and everyone else who is picking our pockets out of it and return it to a non-profit corporation.

**Mr Tony C. Wong (Markham):** As I rise for the first time to speak in this House I would like to thank the people of Markham for electing me as their representative. I also want to congratulate you, Speaker, for your election to this esteemed office.

I will begin by saying that Bill 4, like Bill 2, is absolutely essential for our government to put our financial house in order as we proceed to implement the policies that we spoke about during our election campaign.

My friend the member for Scarborough Centre talked about education needs, textbooks and the capping of class sizes. He's absolutely right, but I want to talk about what is important in Markham. The Markham Stouffville Hospital has been planning for an expansion for a long time, and it is essential and very important to our residents that this proceed. What does that mean? It means investment in health services. I'm sure that many communities in this province have the same need.

I certainly agree with the member for Algoma-Manitoulin that we've got to be able to do better than use up our fossil fuels. But it's much more than that; we have to take extremely important measures. There's no question in my mind that conservation is of the essence. This bill does exactly that because we put in place the necessary incentives for the residents of Ontario to conserve. Consumption is in the mindset of people, so we need to produce and provide necessary and strong incentives for them to start thinking about conservation. That is why this bill is not just about fiscal responsibility; it's also about conservation of our energy resources and protection of the environment.

**Mr Dunlop:** I'd like to congratulate, Mr Brown, the member from Thunder Bay—

*Interjection.*

**Mr Dunlop:** Algoma-Manitoulin; I'm sorry. It's so difficult to remember all the names as the new people come into the Legislature it's difficult.

**Mr Brown:** I'm not a new name.

**Mr Dunlop:** I know you're not new, but it's difficult to remember all the names. I really support you, Speaker, in trying to keep everybody straight, especially for these first two weeks when there's so many new members. Again, I congratulate Mr Brown for his comments and his re-election to this Legislature. His points are well taken.

However, I think as we work through this process of debating this very, very important bill in the history of Ontario, it's important that we all get as many comments as possible on Hansard to see exactly what everybody's feelings are. Looking down the road a year, 18 months or two years, we may see a lot of changes. We've heard comments this evening from so many folks about people flip-flopping or changes in their opinions on a certain topic. But let's face it, in the last four decades in Ontario this has been one of the most highly sensitive issues that we faced.

As we look toward a growing economy and a growing population, we do need a fantastic energy supply. I agree, we don't need to use all of our fossil fuels, including natural gas, which was mentioned here earlier, but obviously you want to switch everything over to natural gas immediately as part of the platform. I hope we have the natural gas supply, and I hope we have the ability to continue on with reactors etc and the nuclear power program.

It's a huge issue, and I'm glad people are having this debate tonight on the fact that just because we want it on Hansard to look back in a couple of years' time.

**Mr Brown:** I want to thank, first, the member for Renfrew-Nipissing-Pembroke, the member for Nickel Belt, the member from Markham and the member for Simcoe North for the questions and comments. Certainly I appreciate those very much.

The member from Nickel Belt talked about public power. Well, it is public power. Hydro One is owned by the people of Ontario. Ontario Power Generation, which owns 85% of the generation in the province of Ontario, is owned by the people of Ontario. There is roughly the same amount of private generation in Ontario as there was 15 years ago, and there is no intention on this side to change that. It's just to provide opportunity. As the NDP said on their Web site, if you wanted to have a look, they would encourage—and Mr Hampton, the leader of the NDP, when he was in Windsor, talked about allowing private power to sell power into the grid. That's a reasonable thing, and I think that was a reasonable statement by the NDP.

I think that's kind of a red herring. What we need in Ontario is safe, reliable electricity at affordable prices. That would make a total opportunity for Ontarians to generate electricity, to make sure that we do it in an environmental way, to make sure that we are not buying coal-fire-generated electricity from US jurisdictions at unbelievably high prices. That is just unacceptable from both an environmental and an economic point of view. If we don't take the steps in Ontario to make sure we have the generation and we have the conservation, we will not

succeed as either an economy or as a province. We need to do that, and we need this bill in order to move forward.

This is a forward-looking piece of legislation, and I commend the Minister of Energy for bringing it forward.

**The Speaker:** Further debate? The member for Cambridge.

**Mr Gerry Martiniuk (Cambridge):** Thank you, Mr Speaker. I congratulate you on your ascension to the throne. It's well deserved.

I have the pleasure this evening of addressing the Ontario Energy Board Amendment Act, 2003. There's a lot of confusion surrounding this particular Bill 4. I noted from the papers on November 26, which I believe is today, that, for instance, the Toronto Star indicated this bill would have the effect of increasing hydro bills by \$5 to \$9. I assume that's a month. The Toronto Sun, on the other hand, felt that the same bill would increase hydro by \$3 to \$15 a month. I guess that just goes to show you, you have to look behind the newspapers on occasion to find out the true facts.

What is this all about? I remember—and all the members who were members in the spring and fall of 2002 will remember—the price of electricity was permitted to float in the spring of 2002 and there wasn't a great reaction at that time. One of the problems at that time was that two plants, a number of the generating turbines at the Pickering plant and the Bruce plant, were both down and the price of electricity per kilowatt hour jumped rather dramatically. There was no real effect on the public until the fall, starting in September, when everyone started receiving their hydro bills and the calls started. I don't think I was the only one who received calls from the public. In fact, I know I wasn't. But I can honestly say that in the eight years of having the honour to sit in this House and represent the great riding of Cambridge, I have never had an issue about which I have received more calls at my constit office. They did not stop.

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Everybody realized tghat because of the shortage of generation in Ontario at that particular time, this was a situation that could not continue without something being done. Something was done in November. An act was proposed which in effect froze residential rates at 4.3 cents a kilowatt hour, and that bill passed in this House. It was supported by the loyal opposition, as it then was, the Liberals, and it was opposed by what formerly was the third party and now is independent, the NDP. That seemed to solve the problem at that time, and the calls obviously did not continue. At the same time, certain safeguards were brought in to safeguard small businesses from the drastic price gyrations of electricity at that time.

By the way, I should mention that the problem affecting my particular constituents, and I can only speak for the personal calls I received, did not merely affect residential, but small businesses. Many were affected in a very dramatic manner, to the extent that I spoke to two small businesses, among the scores I spoke to, where it could affect them, unless they received some cap, so



adversely that they might have to close. One of the things that all members of this House would like to see is more people, not fewer, working in Ontario. I think we agree universally on that.

So a freeze was presented, and it has now been altered. Under Bill 4, as I understand it, the price of 4.3 cents is to be eliminated as of April 2004 and there's an interim plan under which the first 750 kilowatt hours consumed in any month would be priced at 4.7 cents per kilowatt hour and consumption above that level would be priced at the higher rate of 5.5 cents per kilowatt hour. Of course, that would apply to residences. So there is still a price cap effective in April, but there will be substantial increases to residences, depending on the calculation.

In addition, of course, commercial users, 50,000 kilowatts up to 250,000 kilowatts a year, would see an increase in their monthly electricity of between 15% and 18%, and for large businesses, and I would assume anything over 150,000 kilowatts, this translates into approximately \$180 a month for that business.

So we are removing the freeze, and starting in April or May of next year we will see a considerable increase on residences and commercial. And in addition to that, the matter will be put into the hands of the Ontario Energy Board, and they will come forth with recommendations as soon as possible and no later than May 1, 2005. I would assume that that could mean further increases unless some generation capacity has wondrously appeared in this province that would solve the problem we have now, that we do not create the energy we use.

That's pretty cold, but those are the facts, and that's what we've been discussing. But how does it affect people? I remember talking to one individual, a widow, in my riding, who was a tenant, not a homeowner, and who lived on basically the old age security, with a supplement, which was important, in a very, very modest rental property. This was in September or October 2002. She was going to find great difficulty at that time—it was before the freeze—in finding room for this additional expenditure that she did not choose to make but in fact was forced to make because we need electricity. It's easy to say "conserve," but you just can't tell someone to turn the lights out and that's the way they're going to conserve. Especially when they're using modest amounts of electricity to start with, the business of conservation becomes extremely difficult.

So when we deal with someone in that situation, unfortunately—or fortunately; I happen to think it's fortunate—we do have in Cambridge a very large senior population. Many have moved from other cities to Cambridge because we are considered a prosperous and safe city. Many of them are in that boat.

Compounding that, the government has decided to abandon the seniors' tax credit. As a government, we felt that a seniors' tax credit was appropriate, simply because so many of the seniors living in this province were feeling a great deal of anxiety over increasing expenditures. It's not just hydro, of course. If they drove a car, we had a problem of increasing automobile insurance. The gas

was increasing rapidly. Food was relatively stable. The second-largest number of calls I've had from seniors now, not from the general public, was in regard to the tax credit for seniors, which means if they were over 65, either an owner or a tenant—the lady I keep thinking of who put forth such a plaintive case was over 65—they would have received a rebate of educational taxes attributable to their unit. Even though they were a tenant and did not pay it directly, they obviously paid it through their rent.

These individuals were looking forward to receiving additional monies around Christmastime this year, or actually earlier, which would have assisted them in meeting the everyday, ordinary expenses that you and I think little of, but to them every penny counts, due to their fixed income. That's unfortunate, but we cannot ignore it. There is a segment of our society that needs our help, and unfortunately it will not be forthcoming, either by the tax credit or by the freeze on the hydro rates. So what are they going to do? I don't know. I will receive calls, I'm sure, and I'm sure everyone in this chamber will receive calls. It would seem that if this bill is passed, we can only commiserate with them; unfortunately, we cannot really assist them, as I know all in this chamber would like to.

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**The Speaker:** Questions and comments?

**Ms Martel:** I didn't hear everything the member had to say, but I'm sure that somewhere in his remarks he would have made the point that what we're dealing with here tonight is yet another in what looks like will be an ongoing string of broken promises. I continue to point out that I don't know why the government made the promise it did during the election campaign if it didn't have any intention of keeping it. It was really clear, after the market opened and when rates went through the roof and members of the Conservative Party and the Liberal Party were scurrying for cover because they were getting irate calls from homeowners about their hydro bills, that the cap as it went into effect was clearly going to cover the real price of private power. No one in this House was under any illusion that anything else was going to happen. That was what the rate cap was all about: to try and hide the real cost of private power.

Of course when you did that, someone was going to have to pay for that cost of private power, and consumers began to pay that cost right after the rate cap went into effect November 11, 2002. It was no surprise to anyone that the taxpayers of this province were going to foot a huge bill, as it was very public—very public, right across this province—that the magnitude of that bill, that whack to taxpayers in this province, was well over \$700 million even before the blackout occurred.

But that didn't stop the Liberal Party from going out and campaigning on an election promise that they would keep the rate cap in place until 2006. You knew taxpayers were paying a huge amount. It wasn't a surprise. The real question is, why did you make the promise you did if you didn't intend to keep it?

**Mr Jeff Leal (Peterborough):** I listened with great interest to the speech from the member from Cambridge. It would be pretty interesting around this House if we finally got a frank admission that Bill Farlinger was the author of the electricity disaster here in Ontario. Now it's up to our government to bail out the situation, to put our electricity system on an even keel so that indeed, at the end of the day, homeowners, businesses, people in the ag business will have a reliable source of power in this province. This plan that we've introduced will do it.

Let me tell you, Mr Bob Lake, the former president of the Municipal Electric Association of Ontario and president of the Peterborough Utilities Services, was on the radio this morning, on the CBC morning program, saying that this government, this bill, is on the right track to bring back electricity stability to the province of Ontario, and we should be proud of that.

**Mr Dunlop:** I congratulate my colleague the member from Cambridge for his comments this evening. I believe he's serving his third term here. He works extremely hard in his riding. Hey, we 24 members of the Progressive Conservative caucus—it was disappointing on October 2 to see that 10% shift in the vote that saw the Liberals pick up about 45% or 46% of the vote in the province and us reduced to 35%. We received a lot of seats.

You have a lot of challenges ahead of you as members of the Liberal caucus; there's no question. You've had a good example tonight of the debate that takes place here. We've got three long weeks ahead of us after tomorrow night to finish this session, and then we're going to go into the spring session and we'll go on for four or five years, whenever we determine that the next election will be. But we 24 members who are left here feel extremely proud of the fact that we worked so hard in our ridings and were able to maintain our seats in spite of the shift that we've seen and the change in the province. I think people like Mr Martiniuk, the member from Cambridge, deserve a lot of credit. He brings some good points out here and he brought some good examples about what the feelings are from his constituents. He continually refers to his constituents because he represents them so well.

But I think the concern we all have here is how this will impact. We knew the 2006 cap was temporary. Our government wanted to leave that in place because we felt it would give a really safe time and a fair time for the generation to come on stream and to maintain the growth in the economy at the same time. That was our perspective. You folks have a different view of that now on the government side, and I understand that will be the challenge you face. I'm quite concerned about the job creation opportunities in Ontario as a result of this, but let's have a full debate and we'll see what happens as a result of it.

**Ms Kathleen O. Wynne (Don Valley West):** It's a great pleasure to be here. Congratulations, Mr Speaker, on your election. To the people of Don Valley West, thank you for your faith in me.

Having been so recently on the outside of this chamber, I have to say that one of the most difficult

things for people is to understand and sort through the rhetoric they hear. I just want to say to the people who are listening tonight that they have to consider the source of the comments they're hearing.

The most outrageous invective is coming from the members of the Tory party that created the social, fiscal and infrastructure decline in this province, the likes of which we've actually never seen. Successive Ontario governments, in my opinion, and I believe all of them, whatever their stripe, have actually tried to build this province. They've actually tried to build on the values of compassionate, responsible government that created the foundation that this province was built on. But Premier Mike Harris changed all that; he changed the rules. We're now the government that's having to clean up that mess. We're the government that's having to rebuild and repair the damage that was done.

Last night I went to a ratepayers' meeting, 200 people, in Leaside in Don Valley West, which is the home of some of my most critical and thoughtful constituents. I thought, "I'm in trouble. I'm going to be raked over the coals for the announcement that was made today about electricity." In fact, people there understood exactly what we're doing. They knew this was bad Tory policy. They know we have to get our fiscal house in order in order to do the things we've promised to do. They're looking to us, we're going to deliver, and I am proud to support the bill that Mr Duncan has brought forward.

**The Speaker:** The member for Cambridge.

**Mr Gerry Martiniuk (Cambridge):** Once again, I'd like to thank the members from Nickel Belt, Peterborough, Simcoe and Don Valley West for their comments.

It's easy to sit here and talk about what's right. Maybe what we should be talking about is what's human. I belonged to a political party and a government and I think we did imbue in the public a new word: "Promises made, promises kept." I was pleased to be a part of the party of that government.

**The Speaker:** Further debate?

2120

**Mr Hampton:** I noted with interest the fanfare with which the minister introduced the bill tonight. First of all, he made some derogatory remarks about the Conservative 4.3-cent-a-kilowatt hour rate cap. Then he said this is going to lead to new supply in Ontario. Then he said that this is going to lead to conservation in Ontario, and that somehow it's going to lead to more stable prices.

I want to do just a bit of a review of the four things the minister talked about. I just want to point out again that you're right: I said from the beginning that the rate cap was phoney. In fact, you hold up my book and I invite you to turn to the page where I said that if either the Conservatives or the Liberals won a majority government, the rate cap which they both promoted, which they both promised to keep until 2006, would be gone within two months.

Lo and behold, election October 2, and here we are at the end of November and the rate cap that you promoted everywhere across the province, that you said you'd keep



until 2006, is gone—gone. I think I was right on this one again. Your support for the rate cap was only there to keep the high cost of privatized, deregulated electricity off the radar screen until an election was held. That's what it was all about. And now that the election is over, "Hey, we can kill the rate cap." That's what it was all about. Some would say that was very insincere, some would say it was deceptive and some might say it was dishonest. We'll let people decide as they experience Liberal energy policy over the next few months and years.

The other thing I find interesting here is that the minister wants to pretend that somehow this is a new energy policy, that it's a different energy policy. The private market is still operating. This is still the same agenda that you and the Conservatives supported: an agenda of privatizing and deregulating Ontario's hydro system.

I just want to take you back four years because you and the Conservatives were saying that privatization and deregulation of our hydro electricity system would lead to stable prices, if not lower prices; you said it would lead to clean air; you said it would lead to new supply.

Four years later, where are we? Prices have gone up. In fact, if you compare prices pre-deregulation with prices now and look at the bottom figure on the hydro bill, most people will find that their hydro bill has doubled.

So what has it done in terms of price? People are paying twice as much now for the same hydroelectricity.

What has it done for clean air? Air is dirtier than ever.

What has it done for new supply? You and the Conservatives said that privatizing and deregulating would lead the private sector to build new supply. No new supply—none.

You know what else? We're at risk of the lights going out. That is the reality now of privatization and deregulation four years in. Are you changing that? Are you going to close the privatized, deregulated market? No. You're going to continue with the same policy. In fact, you're going to continue with the rate cap. There was the Conservative rate cap; now there's going to be the Liberal rate cap. But do you know what? Fundamentally, privatization and deregulation of hydroelectricity isn't working anywhere. It didn't work in California, it hasn't worked in Alberta, it was a fiasco in Montana, it hasn't worked in Pennsylvania, they're having to bail it out in Great Britain, and blackouts in New Zealand. Yet what is the Liberal electricity policy once you get through the temporary, I guess, fluctuating rate cap? The same as the Conservative policy. You continue to go down the road of privatization and deregulation.

I heard the minister on CBC. He said that allowing the price to go higher would lead private electricity companies to build more supply. You know what? That's what the Conservatives used to say. That's what Jim Wilson used to say, Norm Sterling used to say, Chris Stockwell used to say, John Baird used to say. And now the Liberal Minister of Energy is saying the same thing that the Conservative ministers said.

So I ask, what's changed? The private market is still going to operate, I agree, under the rate cap. The minister still says that letting the price go higher is going to entice private companies to build. Just like the Conservatives, you say that enticing the private sector is going to result in cleaner air. I don't see any difference. Do you see any difference? It seems to me the same policy—

**Mr David Zimmer (Willowdale):** The lights will stay on.

**Mr Hampton:** Somebody back here says the lights will stay on. Conservatives used to say that too. Conservatives used to say it all the time. Mike Harris used to say to me, "Howie, you're praying for a blackout." I didn't have to pray for a blackout; it was all very, very predictable. In fact, Ontario has been running the risk of a blackout not for a couple of months, not for six months, but for at least the last two years. And we're going to continue to run that risk, because your energy policy of privatization and deregulation is not going to take us anywhere better or anywhere different than their policy of hydro privatization and deregulation.

The minister says that people are going to pay the true cost of electricity. Well, I've got to take the minister on in this. You know what people are paying? People are paying for private speculation. People are paying so that companies like Brascan can take money out of their pockets.

Let's just take those four hydro plants on the Mississagi River that were sold, and you're obviously not going to do anything about that. Do you know what it costs to produce electricity in those four hydro dams? It costs a little more than half a cent per kilowatt hour. But those people in Sault Ste Marie and up to Wawa and over to Sudbury who in effect consume that electricity, do you know what they're paying in the private market, even when you throw in the Liberal rate cap now to try to smooth it out? They're paying, all in, at least 10 times more than the half cent per kilowatt hour, at least 10 times more. Is that money going to pay down the debt? No. Is that money being reinvested in new, green sources of electricity and supply? Is that money going to maintain the grid? No. It's going into Brascan's pockets. It's called profiteering. It's called jacking up the hydro rate—an essential service, something that people need every day—in order that Brascan can boast about their corporate profits. That was Conservative electricity policy, and that continues to be Liberal electricity policy.

You said that this is going to lead to conservation. I read your bill. There's no conservation provision in your bill—none. There's no electricity efficiency provision in your bill. Your policy is the same as the Conservatives'. The Conservatives said, "If you jack up the price of electricity, some people won't be able to afford it. And because they won't be able to afford it, they won't be able to use it." Your conservation policy is the same as the Conservative conservation policy. It's the free market policy.

I read Mark Mullins. He says that if you jack up the price of auto insurance high enough, you'll have fewer

accidents. People won't be able to afford it. They might not drive. Yes. If you jack up the price of electricity enough, you will kill steel industry jobs, you will kill pulp and paper jobs, you will kill mining jobs and smelting jobs, you will close some of those auto assembly plants, and poor people—seniors living on fixed incomes, people who have low incomes—won't be able to pay the electricity bill.

But do you really think that's a wise strategy? The reality for most people in this province is that electricity and the electricity bill are not a big financial concern. But I have to tell the minister that for electricity-intensive industries it is a very big concern. And for poor people who can't afford to turn the heat on or can't afford to pay the electricity bill on an ongoing basis it's a life-and-death concern.

Why do you think the Conservatives brought in those rate caps—you know, the people who believe in the free market as if it's religion? I'll tell you why they brought it in. Because in the fall of last year there was a real risk that people on low incomes, people on fixed incomes, wouldn't be able to pay the hydro bill; that they'd start doing something dramatic like not using the lights, using candles instead, a big safety hazard; that people would start turning down the thermostat very low, you know, put on five sweaters, hoping to make it through a cold winter night, and somebody would die. I don't need to

tell you how disastrous that would have been for a government headed into an election campaign in terms of public relations. But that's the reality.

For most people, electricity is not a big financial concern, but for people on fixed incomes and people on low incomes, if your only conservation strategy is jacking up the price, it creates a real hardship.

I looked for something in the bill that said you were going to provide a low-interest loan so that people on lower incomes could take that old refrigerator that uses too much electricity and use the low-interest loan to buy a new one and substantially lower their use of electricity, because a new one is so much more efficient in terms of its use of electricity. Is there a provision like that? None.

Your strategy for conservation is the same as their strategy for conservation: Drive up the price so that some people can't afford it.

**The Speaker:** Thank you.

**Mr Hampton:** That's not a strategy. That's hardship for people—

**The Speaker:** Order.

*Interjection.*

**The Speaker:** Thank you very much, member for Kenora-Rainy River. It being 9:30 of the clock, the House stands adjourned until 1:30 tomorrow.

*The House adjourned at 2132.*



# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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**Assemblée législative  
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Première session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Thursday 27 November 2003**

**Jeudi 27 novembre 2003**

**Speaker**  
**Honourable Alvin Curling**

**Clerk**  
**Claude L. DesRosiers**

**Président**  
**L'honorable Alvin Curling**

**Greffier**  
**Claude L. DesRosiers**





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## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 27 November 2003

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 27 novembre 2003

*The House met at 1330.*

*Prayers.*

### MEMBERS' STATEMENTS

#### PROVINCIAL DEFICIT

**Mrs Julia Munro (York North):** Yesterday our leader, Ernie Eves, released his plan showing how Ontario could actually achieve a \$3.9-billion surplus when the fiscal year ends next March. Our party has revealed the truth about the Liberals' blame-game deficit. We have shown how they could combine the balanced budget plan of the Eves government with the \$3.8 billion of savings outlined in their own financial plan.

They have the option to start working on behalf of all Ontarians to achieve a healthy, prosperous economy. Instead, the Liberals have given us the largest tax hike in Ontario history. They will sacrifice jobs and growth and still not balance the budget. People are starting to ask if we can believe anything this government says.

They promised to balance the budget and broke that promise. They promised to stop construction of 6,600 homes on the moraine and broke that promise. They promised to maintain the hydro rate cap until 2006 and broke that promise.

People of good faith in Ontario who voted Liberal have to ask themselves if the Liberal Party will keep its promises to cap class sizes, hire 8,000 nurses and close the coal-fired plants by 2007. They wonder whom to trust.

There is a party in Ontario with a record of keeping its promises. That is the PC Party. People are starting to recall our record of doing what we said we would do. That is a lot more than can be said for this government.

#### BEEF PRODUCERS

**Mr Jim Brownell (Stormont-Dundas-Charlottenburgh):** On Saturday, November 22, I had the great opportunity to attend the Stormont Cattlemen's Association annual dinner held at the historic Quinn's Inn in St Andrews West.

Despite a year where BSE, mad cow disease, created catastrophe and uneasiness in the beef industry, on this night farmers gathered to discuss and celebrate what they do best: farm.

Beef is a \$1.2-billion-a-year business in Ontario. In my riding alone, there are 756 livestock farms, many of which are beef, and about 38,000 cattle. Last year, the total value of farm sales from Stormont-Dundas-Charlottenburgh, including sales of beef and cattle, reached \$252 million. It is an important part of our riding's economy and ties to the very fabric of rural Ontario.

No natural disaster—drought, crop failure or weather condition—has ever impacted the Canadian agriculture industry as this crisis has.

I was proud to be the guest speaker at the Stormont Cattlemen's Association annual dinner, and I thank President Randy Eden for the invitation. I am proud to say that the every first assertion I made here at Queen's Park was to place an "I Love Beef" bumper sticker above my desk here at Queen's Park. I congratulate all farmers for their courage in this year's crisis and I send special congratulations to Mr Ray Beauregard for being named and honoured with Stormont Cattleman Member of the Year.

#### LIBERAL CAMPAIGN PROMISES

**Mr Frank Klees (Oak Ridges):** There truly is a deficit in this province. It is not a fiscal deficit, however; it is a credibility deficit that is growing by the day. It's a credibility deficit on the part of the current Liberal government, which, since having been elected on October 2, has truly been a study in contradiction. While on the campaign trail, there were bold promises to the people of this province, bold commitments on the part of this government, that quite frankly they were going to do things differently.

After just 56 days of being in office, the people of this province are sorely disappointed. They're disappointed because of commitments that were made and are being broken at break-neck speed. They truly wanted to believe that this government would do things differently. What they have found is that once being elected, whether it was a commitment to balance the budget, whether it was a commitment to stop construction on the Oak Ridges moraine, whether it was a commitment to protect working families in this province or whether it was a commitment to cap electricity rates and ensure that people on fixed incomes could in fact pay their utility bills, all of these promises had been broken at break-neck speed. The people of this province deserve much better.



## ARNIE KOKKO

**Mr Ernie Parsons (Prince Edward-Hastings):** The rich fabric of Ontario is made up of literally millions and millions of unsung heroes, people who do the right thing with no expectation of fame or glory for it.

In 1969, I had the privilege of meeting one of these heroes, a gentleman named Arnie Kokko, a gentleman who went through the depression with no complaints; who worked a number of jobs to provide for his family; who fought for his country; who pays his taxes and obeys the law; who raised, with his wife, Anne, three daughters; who, before the definition of the phrase "quality time" arose, made it a point of spending every Saturday fishing with his family and camping and spending time with them; who volunteered and helped neighbours without being asked.

Arnie Kokko is my father-in-law. Arnie has major health problems at the moment and is fighting it with the courage and determination with which he has done everything else. I want to say to Arnie that he is my unsung hero. Arnie is my inspiration. Arnie is as fine a role model as anyone in this province could ever look for. It is a privilege and an honour to be a son-in-law and to know him. And so to Arnie, and all of the other Arnies in Ontario, I say thank you; you've made our province what it is.

## BLOOD DONATION

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** My message today is to give the gift of life for Christmas and donate blood. I'll be giving blood at the annual Christmas blood donor clinic to be held Monday, December 15, 2003, between the hours of 3 and 7 pm at the Sheba Shrine, 142 John Street in Barrie.

We received great support from the Barrie Fire and Rescue Department and from the Barrie Police Service at this Christmas blood donor clinic. These valuable community service workers see first hand the necessity of collecting blood for emergency situations and I commend them for stepping up to help.

The need is great, and I want to encourage all of my constituents in Barrie, Innisville, Bradford-West Gwillimbury and area to share the spirit of Christmas in this unique way. Roll up your sleeves and give the gift of life to others. Give the gift of life for Christmas: donate blood.

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## VOLUNTEER SERVICE AWARDS

**Mr Tim Peterson (Mississauga South):** Last night the Ontario government, through the Ministry of Citizenship and Immigration, hosted the 2003 Ontario volunteer service awards at the Oasis Convention and Banquet Centre in my riding of Mississauga South.

As you know, Mississauga is a special place to live. We are blessed with eight kilometres of beautiful Lake

Ontario shoreline, a birding and wildlife sanctuary known as the Rattray marsh, and the Credit River, where we still have the annual salmon derby.

The natural beauty of Mississauga is one of the reasons Mississauga is one of the fastest-growing communities in Ontario. But our funding formulas on social services have not allowed for the fast growth, and Mississauga and Peel region are underfunded by 70% on their social services compared to the jurisdiction of Toronto.

Despite the underfunding, which I know this House will address, we are a wonderful community to live in. The shortage in social service funding has been made up with the quality of our volunteers in many of our vital services. They give freely of their time and are passionate about their organizations and their communities. Last night, the volunteers of Mississauga received the Ontario 2003 volunteer awards for five, 10, 15, 25, 30 and now 50 years of continuous service.

As their master of ceremonies of last night's awards, I passed along the congratulations and gratitude of this House to the volunteers who have contributed so much, not just to Mississauga, but to all of Ontario.

WATERLOO-WELLINGTON  
TRANSPORTATION ACTION PLAN

**Mr Ted Arnott (Waterloo-Wellington):** The issue I'm raising today is one that I've raised in the House before, put before the voters during the election campaign and committed to support in this, the 38th Parliament. That issue is our Waterloo-Wellington transportation action plan.

Almost a year ago, I asked the 11 municipal councils in Waterloo-Wellington to provide me with their top transportation priorities for the next five years and beyond. All 11 municipalities provided ideas, and these formed the Waterloo-Wellington transportation action plan.

The plan includes the corridor study of Highways 7 and 8 between Kitchener and Stratford; a new four-laned Highway 7 between Kitchener and Guelph; assistance for the county of Wellington to rebuild Highway 24 from Guelph to Cambridge; a repaired and upgraded Highway 6 from Fergus to Mount Forest; and Waterloo region's light-rail transit initiative, among other important transportation projects.

Municipal representatives from my riding and I met with the Minister of Transportation, the member for Oak Ridges, in April, and I've spoken about our projects twice in this House. I raised our projects with the new Premier on October 3, the very day after the election. I asked him to bring our projects to the attention of the new Minister of Transportation and I have followed up with the minister since.

These projects represent the real and pressing infrastructure needs of Waterloo-Wellington and our surrounding area. They are needed for road safety, continued prosperity and economic development, and they are key to avoiding the problems of gridlock that now

plague Toronto and its suburban areas. That is why I asked the Minister of Transportation to review these projects and why I'm informing the House that I intend to continue to advocate for the Waterloo-Wellington transportation action plan.

### MUNICIPAL FINANCES

**Mr Lorenzo Berardinetti (Scarborough Southwest):** I would like to take this opportunity to applaud the government for committing itself to a new deal for cities in the throne speech.

As a former city of Toronto councillor, I understood at first hand the frustration cities experienced with the previous Conservative government when it came to addressing the downloading of services on to municipalities. In fact, the Provincial Auditor confirmed that downloading cost municipalities like the city of Toronto \$194 million.

The new spirit of co-operation between municipalities and our government stands in stark contrast to the battles of the former government. Sadly, dialogue between the city and the province was reduced to trading insults. The result was seen in less affordable housing, slower public transit and problems in our streets. A new deal will give our communities all across Ontario the tools and resources they need to provide for better public transit, more affordable housing and safer streets. I look forward to working with the Minister of Municipal Affairs as well as residents from all walks of life in creating a new deal.

### HEALTH CARE REFORM

**Mr Rosario Marchese (Trinity-Spadina):** Like the fortified walls of ancient Troy, a strong national consensus has protected medicare from privatization. Efforts to bring American-style, two-tier health care to Ontario have proven fruitless; that is, until now.

Dalton McGuinty, the broken-promise Premier and his Liberals have broken yet another one of their ironclad commitments. They have refused to close the medicare gates that the Conservatives opened and let the privatizers and their P3-hospital Trojan Horse inside.

Before the election, McGuinty promised to stand up for medicare. He said, "We will end the Harris-Eves agenda of creeping privatization." Friday, he broke that promise. P3 hospitals will go ahead in Brampton and Ottawa. The Toronto Star says, "P3 by Any Other Name," and they add, "The new Liberal government can split hairs if it chooses, but it has essentially signed on to the Tory plan to build two so-called 'P3' hospitals." Even Conservatives, like the member from Nepean-Carleton agree. He says, "Looks pretty identical to our P3 deal. So we're thrilled."

He's thrilled, but New Democrats are not. We say to our broken-promise Premier on this, the first anniversary of the Romanow Commission: Listen to Mr Romanow. Slam the gates shut on private health care. De-Fiberal-ate

our health care system. Build public hospitals in Brampton and Ottawa. Keep the P3 Trojan Horse out of Ontario.

### PROJECT TURNAROUND

**Mr Garfield Dunlop (Simcoe North):** Following the largest tax increase in Ontario's history, Dalton McGuinty is poised to make another community safety blunder by shutting down Project Turnaround, a successful strict discipline program for young offenders, which is located in my riding, by the way.

The move begs several questions: Why would the government eliminate a program that has proven to help troubled youth turn their lives around, and why so when they have been doing it at a 33% lower per diem rate? Why would Dalton McGuinty support a higher rate of reoffence for young offenders? The statistics speak for themselves: Graduates of the Project Turnaround program have a 17% lower rate of reoffence than the average rate for other facilities in our province.

I'd better answer these questions because I already know we can't get a straight answer out of our Liberal friends across the way. The government despises the private sector. When it shows it can be efficient and effective, like in the case of Project Turnaround, instead of admitting that the operator is doing a great job, this government wants to waltz in and close down the shop. That's bad business. But let's not forget how Dalton McGuinty would really look good in the eyes of his union buddy leaders if he rid the corrections system of the private sector operator.

As critic for community safety and correctional services, I believe the closure of Project Turnaround would be another example of just how soft on crime the Liberals really are. I strongly suggest that Dalton McGuinty start working on balancing the province's books instead of using the closure of Project Turnaround to repay his election debts to his union leader buddies.

### VISITORS

**The Speaker (Hon Alvin Curling):** With us today in the Speakers' gallery is the former MPP Laureano Leone. Mr Leone was a member for 1987 to 1990 for the riding of Downsview. Would all the members please welcome him here.

**Hon Rick Bartolucci (Minister of Northern Development and Mines):** Mr Speaker, also in the gallery today is Constable John Gahan, from the service here, who will be retiring after 27 years of very faithful service. On behalf of everyone in the House, Constable Gahan, we would like to thank you for your dedication and wish you will in the future, and in your native tongue, mille failte.

**The Speaker (Hon Alvin Curling):** I too, John, would like to convey my best wishes to you.



ANNUAL REPORT,  
ENVIRONMENTAL COMMISSIONER  
OF ONTARIO

**The Speaker (Hon Alvin Curling):** I beg to inform the House that today I have laid upon the table the 2002-03 Annual Report of the Environmental Commissioner of Ontario.

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MEMBERS' SEATING

**The Speaker (Hon Alvin Curling):** On November 24, 2003, the member for Niagara Centre, Mr Kormos, rose on a point of order concerning the seating arrangements in the chamber. The member objected that the seating plan places the rump—that is, the group of government members who cannot be accommodated in the seats to the Speaker's right—to the Speaker's left, between the members of the official opposition and the seven members who are not affiliated with a recognized party. According to the member, the rump should have been placed at either end of the left side of the chamber, with a view to ensuring that all opposition members were seated as a bloc as opposed to being physically separated by the rump. The opposition House leader, Mr Runciman, and the government House leader, Mr Duncan, also spoke to this matter.

On November 25, 2003, the member for Niagara Centre rose on a separate but related point of order. He objected to the characterization of himself and six other members not affiliated with a recognized party as independents, and asked that the group be referred to as members of the New Democratic Party. The government House leader and the member for Nepean-Carleton, Mr Baird, also spoke to this matter.

I have had an opportunity to reflect on what the members said and to review the parliamentary precedents and authorities in Ontario and other parliamentary jurisdictions.

In response to the first point of order, let me say that, for many decades in this chamber and in most other parliamentary jurisdictions, the whips of the recognized parties have made the initial seating assignments for members of their respective parties shortly before the commencement of the first session of a new Parliament. The Speaker has then assigned the seats for any other members. As the member for Niagara Centre rightly points out, however, the Speaker has the final say over the seating plan.

In the case at hand, it should be noted that shortly before the commencement of the first session of this Parliament, the Speaker approved the current seating plan, after following the normal consultative process. The question before me now is whether there is a valid reason why that plan should be altered.

At this point in my ruling, I want to make the following observations:

First, in light of what I have already indicated about how seating assignments in this chamber and the chambers of other parliamentary jurisdictions are traditionally made, the issue is less the placement of the rump than the placement of members who are not members of a recognized party.

Second, even if the issue was the placement of the rump, it is not at all self-evident that a rump can never physically divide opposition members. In fact, right now, there are three Canadian parliamentary jurisdictions—the Senate of Canada, the Legislative Assembly of British Columbia and the National Assembly of Quebec—where members not affiliated with a recognized party are not assigned seats that are physically adjacent to other opposition members. In each case, the rump physically separates such members from other opposition members.

Third, references to historical seating arrangements in this chamber have limited relevance to today's circumstances because they predate amendments made to the standing orders and the Legislative Assembly Act since the 1970s. Those amendments have had the effect of enhancing the role of parties of a certain size in House procedures and House administration.

In previous Parliaments, the member for Niagara Centre and his colleagues have benefited from those amendments. In the current Parliament, they do not benefit from these provisions. Unfortunately, this state of affairs was not dictated by any member of this House, but rather by the outcome of the most recent general election.

Fourth, before the current seating plan was approved by the Speaker, members not affiliated with any of the recognized parties were allowed to be seated together in one bloc of seats; they were allowed to decide among themselves where in that bloc they wanted to sit; and they requested and were allowed some seats in the front row as opposed to being placed in the back row.

Fifth, no member is disadvantaged by virtue of the seat that the member has in this chamber. In other words, every seat in this chamber is a good seat.

Finally, the current seating plan does not prevent any opposition member from collaborating and consulting with another opposition member.

In light of these observations, I am ruling that the current seating plan appears to be a fair and reasonable accommodation between the rights of the majority and the rights of the minority.

As for the second point of order, the member for Niagara Centre and his six colleagues object to being referred to as independents, the traditional parliamentary moniker for members not affiliated with a recognized party. According to the member, they should be referred to as members of the New Democratic Party. I do not take issue with the member that he and six other members of this House are members of the same political party. However, they are not members of a recognized party within the meaning of the Legislative Assembly Act and the standing orders. It takes at least eight members to be a recognized party and they are only seven. The Speaker did not create that requirement; the

Legislature and the House, as the case may be, did, and only they can change it.

Having said this, I note that Speaker Parent of the Canadian House of Commons, in his June 16, 1994 ruling, accommodated those members who were not affiliated with a recognized party by allowing the members of one particular group to be seated near each other and to be identified by the group's traditional name, by allowing the members of another political group to be seated near each other and to be identified by their group's traditional name, and by then assigning other independent members the remaining seats according to their seniority.

In keeping with the thrust of that ruling, I too am able to make some accommodation and so I'm ruling that, in this chamber, the member for Niagara Centre and the other six members not affiliated with a recognized party may collectively be referred to as the third party. Further, since party identification is permissible in certain Assembly print and electronic publications, such as Hansard and Ont.Parl, they can be referred to as the New Democratic Party in those publications, in accordance with usual practice and policy.

However, I want to be absolutely clear that this accommodation does not confer any substantive rights—administrative, financial, procedural or otherwise—beyond those rights that an independent member already has. For example, this ruling does not confer on any member of the third party any status as leader, House leader or whip. In other words, the third party is still not a recognized party within the meaning of the standing orders and the Legislative Assembly Act. As I have said, only the House and the Legislature have the authority to alter the threshold needed for recognized party status.

I thank the member for Niagara Centre, the government House leader, the opposition House leader and the member for Nepean-Carleton for their thoughtful and helpful submissions.

## INTRODUCTION OF BILLS

### VQA WINE STORES ACT, 2003

#### LOI DE 2003 SUR LES MAGASINS DE VINS DE LA VINTNERS QUALITY ALLIANCE

Mr Hudak moved first reading of the following bill:

Bill 7, An Act to authorize a group of manufacturers of Ontario wines to sell Vintners Quality Alliance wines / Projet de loi 7, Loi autorisant un groupe de fabricants de vins de l'Ontario à vendre des vins de la Vintners Quality Alliance.

1400

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Tim Hudak (Erie-Lincoln):** I thank all members of the assembly for their unanimous support upon first reading of the bill. This bill would authorize the Lieu-

tenant Governor in Council to set rules regarding VQA stores, to help promote Ontario wines and hopefully in tourism areas to extend their exposure to Ontario consumers as well as tourists.

This had been part of the Rural Red Tape Reduction Act, as schedule B. Unfortunately, we did not have enough time in debate to pass that before the election, but I offer it up in good faith. If it becomes a government bill or, through unanimous consent, through three readings, or any consent through three readings in the Legislature, I think it's a great thing for the industry.

### COMMITMENT TO THE FUTURE OF MEDICARE ACT, 2003

#### LOI DE 2003 SUR L'ENGAGEMENT D'ASSURER L'AVENIR DE L'ASSURANCE-SANTÉ

Mr Smitherman moved first reading of the following bill:

Bill 8, An Act to establish the Ontario Health Quality Council, to enact new legislation concerning health service accessibility and repeal the Health Care Accessibility Act, to provide for accountability in the health service sector, and to amend the Health Insurance Act / Projet de loi 8, Loi créant le Conseil ontarien de la qualité des services de santé, édictant une nouvelle loi relative à l'accessibilité aux services de santé et abrogeant la Loi sur l'accessibilité aux services de santé, prévoyant l'imputabilité du secteur des services de santé et modifiant la Loi sur l'assurance-santé.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Hon George Smitherman (Minister of Health and Long-Term Care):** On that, Mr Speaker, I'll be making a ministerial statement.

### ENVIRONMENTAL PROTECTION AMENDMENT ACT

#### (INDUSTRIAL FACILITIES), 2003

#### LOI DE 2003 MODIFIANT LA LOI SUR LA PROTECTION DE L'ENVIRONNEMENT (INSTALLATIONS INDUSTRIELLES)

Mr Levac moved first reading of the following bill:

Bill 9, An Act to amend the Environmental Protection Act to regulate industrial facilities that use, store or treat hazardous materials / Projet de loi 9, Loi modifiant la Loi sur la protection de l'environnement pour réglementer les installations industrielles où sont utilisés, entreposés ou traités des matériaux dangereux.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Dave Levac (Brant):** This bill amends the Environmental Protection Act by requiring that industrial facilities which regularly use, store and treat significant amounts of hazardous material prepare and submit an



environmental report on their property every five years. The reports will be available to the public. A facility that is ceasing operations is required to submit a final environmental report. Owners of industrial facilities are responsible for any environmental damage that occurs on their land while under their care. This will rid us, once and for all, of brownfields.

#### VISITOR

**Hon George Smitherman (Minister of Health and Long-Term Care):** Before I start my remarks, it gives me an extraordinary honour to bring to your attention the presence in the members' gallery of Shirley Douglas, who holds the distinction of not only being the daughter of Tommy Douglas but a constituent of the great riding of Toronto Centre-Rosedale.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### HEALTH CARE REFORM

**Hon George Smitherman (Minister of Health and Long-Term Care):** It is an honour to rise in this House today to speak about the Commitment to the Future of Medicare Act.

Our government made a clear commitment to make universal, public medicare the law in Ontario. We're introducing this legislation to keep this commitment. If passed, it will make two-tier, pay-your-way-to-the-front-of-the-line health care illegal in Ontario. This legislation enshrines into law what Ontarians believe deeply in their hearts: every member of our society has an equal right to quality health care based on need, not income.

In preparing his historic report, Roy Romanow challenged those who advocated user fees for medically necessary services, medical savings accounts and a parallel private system to prove that their ideas would improve access or deliver better care. They could not provide that evidence because that evidence does not exist. But their failure to make their case does not mean that they will give up on having their way.

This legislation is needed to make it clear to them that their way is not the Canadian way, it's not Ontario's way and it's not the way of the future. Our answer to those who advocate pay-your-way-to-the-front-of-the-line health care is: no way.

Earlier today, I attended an Atkinson Foundation luncheon, honouring Mr Romanow on the first anniversary of his report. His thorough review came to an irrefutable conclusion: The pursuit of corporate profits weakens, not strengthens, health care by taking dollars and resources out of medicare.

I told Mr Romanow today, and I tell Ontarians now, that his report was a giant step forward. It's a giant step forward because it builds on our values, yes, but also

because it's based on evidence, not ideology. It's based on facts, not myths. But even a giant step forward will not move Ontario forward unless we in this Legislature take the next steps. This legislation represents several significant steps forward.

The Canada Health Act does not include the principle of accountability. Our legislation would entrench it. There is no sure way now to know whether health care dollars are consistently being spent wisely, whether specific performance targets are being met, whether we are doing a better job of taking care of patients.

Our legislation would create an innovative way of doing just that: a new Ontario Health Quality Council. The new provincial council would keep track of factors such as waiting times, and issue an annual report on how the system is doing and, frankly, how the government is doing.

Our new government has been working hard to champion a National Health Council, something Mr Romanow recommended and the previous government did not support. I am pleased to report that this idea has gained momentum once again. I think we all owe a debt of gratitude to the Premier, who has led these efforts on our behalf. Our Ontario Health Quality Council can make a tremendous contribution to the national body and, more importantly, it can make a tremendous contribution to the people we are all privileged to serve.

It's not enough to tell Ontarians we have the best health care system in the world; we need to ensure we have the best health care system in the world. Like Mr Romanow, Ontario's patients want to see evidence, they want to see progress and they want to see real, positive change in health care, not more creeping privatization of health delivery.

That is why our new government has acted to ensure that new hospitals in Brampton and Ottawa are publicly owned, are publicly controlled and are publicly accountable.

1410

That is why we will soon move to ensure that private MRI and CT scan clinics brought forward by that government are returned where they belong: to the public domain. That is why we will continue to take real, positive steps in the weeks, months and years ahead, so Mr Romanow's giant step forward turns into a march toward the health care we need.

We will, as Mr Romanow's report puts it, build on our values. We will build a health care system that is public, universal and accountable; health care that's second to none; health care that serves generations to come; health care that's the envy of the world.

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** I'd like to respond to the statement that has just been made by the Minister of Health. I don't think anybody disputes the need to be accountable. In fact, the last eight years we've been doing everything we possibly could to ensure the accountability of the system, and I plan to demonstrate that.

We certainly don't object to the Ontario Health Quality Council. I think people in this province deserve the best possible health care with the shortest wait times possible. However, I will tell you, this doublespeak, this imaginary bogeyman of two-tier medicine that you have created, you know is not real.

Perhaps you've forgotten that it was your government under David Peterson and Health Minister Elinor Caplan that introduced the Independent Health Facilities Act on November 23, 1989. It was proclaimed April 23, 1990. Today, you are responsible for these independent health facilities' privatization. There are over 900 of them in the province today. Does that mean you're going to get rid of the mammograms, the X-rays, all of the surgical services, the treatment services, the diagnostic services, that are available to people today? Because that is two-tier, and you introduced it. You need to acknowledge that you introduced it.

You know as well that the deal that supposedly you made with the two hospitals in Brampton and Ottawa continue to be two-tier. They are still P3s. They are public-private partnerships. There was no change. In fact, it says here in Corcoran's article, "Health Minister Smitherman confirmed in an interview yesterday that the P3 deals for Brampton and Ottawa are essentially going ahead as the Tories planned." So I would advise you to put away the bogeyman.

But let me tell you about what our government did, because we made great strides. We provided accountability to the public. We recognized that we needed to provide the services that were needed and to spend the money well. As you know, we improved access to service. We provided more access to family physicians by setting up the family health networks. We were the very first province in Canada to do so. We hired 12,000 more nurses. We created the position of nurse practitioner. We were increasing access for international medical graduates to 650. We made a commitment and are building Ontario's first medical school in 30 years in Thunder Bay and Sudbury. We did make a tremendous amount of progress, and we were prepared to do much more.

As far as waiting lists are concerned, I would just remind you that we did slash the wait times for MRIs and CAT scans in Ontario. We tripled the number of these machines from 57 to 151 in eight years. I also want you to know that we had built a province-wide computerized cardiac care network that had reduced the wait for cardiac surgery by 50% since 1996. In fact, I got a call from a—

*Interjections.*

**The Speaker (Hon Alvin Curling):** When the minister was making his statement, there was a hush and everyone could hear. Now the responses must have the same respect. I'd like to have the member deliver her response in the same manner. Thank you.

**Mrs Witmer:** Thank you very much, Mr Speaker.

I was talking about the great strides that had been made in recent years, since 1996, with regard to reducing

wait times for cardiac surgery. We had actually reduced them by 50% because of a new province-wide computerized cardiac care network. If you don't believe that, I had a patient call me yesterday, thanking me because they did get to the front of the line because of the seriousness of their condition.

We had already moved to put in place making sure there were acceptable treatment times for general surgery, cataract surgery, cancer treatment, hip and knee replacement and MRIs. So great strides had been made. I appreciate the announcement today by the minister and I'm glad you're building on our improvements and our increased funding.

**Mr Gilles Bisson (Timmins-James Bay):** On a point of order, Mr Speaker: I ask for unanimous consent for five minutes for the third party to have its statement.

**The Speaker:** Unanimous consent? Agreed.

**Ms Shelley Martel (Nickel Belt):** It's a pleasure for me to respond on behalf of the New Democratic Party. Let me begin by saying that we are here on the first anniversary of the release of the Romanow Report. It's important to remember that the report was put together after extensive consultation and dialogue with Canadians about the shape of the health care system they wanted to see and what that system should provide to them. But let me make it clear as well that one of the key points Romanow made was that despite all of the invitations to come forward, the private sector could not prove that private sector delivery of health care was more efficient, more effective, had better patient outcomes or was cheaper than the public system. In fact, he made it clear that there was no proof that private health care delivery was cheaper than delivery in the public system.

So how come the Liberals haven't learned from that lesson? Because here we stand today, and this Liberal government has not cancelled the for-profit, private MRI-CAT scan clinics in Ontario, this despite a very clear election promise to do so. This government can provide no evidence that there will not be queue-jumping in these private clinics, and the government can provide no evidence that paying your way to the front of the line can be stopped in these private clinics. If the government truly believed in publicly funded, publicly administered health care, the government would have been in here today, on the anniversary of the Romanow Report, cancelling the for-profit clinics and making it clear that new MRIs and CAT scans are going into publicly funded, publicly administered hospitals. Where is your action on this important promise?

The second point that I want to make has to do with the P3 hospitals, because if the government was listening to Romanow, the government would end the private financing of the P3 hospitals. With respect to these hospitals, there is absolutely no difference between the Conservative lease and the Liberal mortgage with respect to the hospitals in Brampton and Ottawa. The government has not cancelled the private financing of these hospitals. The private sector is going to continue to do the construction. What does that mean for patients and



for taxpayers? It means that it will be much more costly to build hospitals that should be built with public money. Why? Because it will cost the private consortium more money to borrow money, much less than what it would cost the government to borrow that same money.

And the private sector is going to want a profit for its work, a tidy profit of 15% to 20% that's going to be added to the mortgage payment. That is money that should be used for patient care, not for profit for the private consortium. There is absolutely no difference between the deal that was arrived at by the Conservatives and the deal that was announced by the Liberals last week. Get the private sector out of the financing of these hospitals. Do what has traditionally been done in this province: Publicly fund the construction of publicly owned, publicly administered hospitals and make sure that we do have money for patient care and make sure that money that should be going to patient care is not being diverted into the profits of the private consortiums.

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If the government was listening to Romanow, the government would have been here today ending the competitive bidding in the home care sector, because again, we know that when the private sector is involved in home care, money that should be going to home care services ends up in the pockets of the for-profit home care providers. Today, on the anniversary of the Romanow Report, the government has nothing to say about competitive bidding in home care and public money that should be going to patient care instead going into profits for these companies.

You know what? I think the first order of business for the new health council should be for that health council to review the P3 hospital deals in Ottawa and Brampton to expose just how similar the Conservative deal is to the Liberal deal that was announced last week. I think that should be the first order of business for the health council.

What the government should be doing today, if they truly want to improve health care for Ontarians, if they truly want to ensure that people in Ontario can get the health care they deserve, is to immediately be dealing with the promises they made: the hiring of 8,000 new nurses, the establishment of 150 new family health teams, the new ways they were going to bring in to attract, recruit and retain specialists and doctors, the ending of the fee increases for seniors who live in long-term-care facilities, the increased investment in home care. Where are you on these promises, which would truly improve health care for all Ontarians?

## ORAL QUESTIONS

### PROVINCIAL DEFICIT

**Mr Frank Klees (Oak Ridges):** My question is to the Minister of Finance. Minister, let me say first of all how

encouraged we are that it seems that finally you and your government are prepared to get down to business. In his homecoming speech last night, we read that your Premier has given direction, finally, to get down to the job of wrestling with the fiscal challenges you face.

By the way, I believe the message from the people of this province to you is that they want you to keep your promise to balance the budget. We believe as well that that is very possible. Sir, you have some five months left until the end of the fiscal year. Between now and then, a great deal of work must be done by you and by your colleagues. I'm asking you now, are you prepared to get to the task, to balance this budget, and are you prepared—as your Premier said, nothing is off the table, including the sale of assets—to get that job done?

**Hon Greg Sorbara (Minister of Finance):** As I listen to my own MPP—because I live in Richmond Hill, and the member for Oak Ridges represents me—I find it incredible that the member for Oak Ridges, who I am told may seek the leadership, will not yet do what the people of Ontario want him and their party to do: to simply admit that over the course of the past year and throughout an election campaign, they told a story that had absolutely no basis in reality. Indeed, even yesterday the Tories put out a series of proposals that is so fictitious, that is so wrought with metaphor and hyperbole as to suggest that they have not yet come to realize that the deficit that they created, not just over the course of the past eight years but last year, creates a tremendous—

**The Speaker (Hon Alvin Curling):** Supplementary.

**Mr Klees:** The only thing that is fictitious is the bogus deficit that this government is discussing.

Let us offer you some help, Mr Minister. At the time our government realized that significant expenses had hit this province through SARS, through a number of other issues, not the least of which was an electricity blackout across the eastern seaboard of North America, that we would have a challenge. There was a direction that the Premier of the day gave to each minister, and that was to get to work to ensure that whatever projected deficit—which I remind you is five months down the road—would in fact be made up.

Why can you not give your ministers the same instruction: Get on with the job and bring in a balanced budget by the time the year-end is here?

**Hon Mr Sorbara:** I want to tell my friend from Oak Ridges that no one is working harder to get this terrible financial crisis under control than this government under the leadership of this Premier—no one. So I do not need his invitation to get down to work.

In the last budget, they overestimated revenues from crown corporations by some \$600 million. They pretended, in that budget, that they were going to have asset sales of \$2 billion. They had expenditures during the year after the budget of \$800 million more than they had budgeted for. We are going to fix this problem. We're working very hard on that agenda.

**Mr Klees:** We really do hope that you will address the fiscal challenges of this province. That was our task. We were prepared to do it, and we would have done it. The problem is that you have no sense of urgency. Even your Premier last night in his speech said, "We're going to take a couple of months to make that case so people understand that there's a need to do something."

You don't have a couple of months to think about this. Your responsibility is today. Give instructions to each of your ministers to get on with the job. Bring in a balanced budget by the time the year-end is here. You've got five months to do it. Don't sit around thinking about it. You don't have the time.

You promised the people of this province a balanced budget. Give it to them. That's your job.

**Hon Mr Sorbara:** I'm intrigued by the member's call to work. Four days ago, I introduced a bill in this House that began to fix the problem. In fact, the reckless tax cuts to large corporations that that party put into place were bankrupting Ontario. How did he vote on it? He voted against the bill.

*Interjections.*

**The Speaker:** We're just on the first question, and I hear more heckling from all sides. We have to do better than that.

**Hon Mr Sorbara:** As I was saying, the first order of business was to get rid of the reckless tax cuts that that party put into place during their last couple of years in office.

**The Speaker:** New question?

**Hon Mr Sorbara:** How did the member vote on that? He voted against the bill. Their position is, notwithstanding that we're six—

**The Speaker:** Whenever I say "New question" and I cut you off, it's time for you to sit down.

New question?

## YOUNG OFFENDERS

**Mr Robert W. Runciman (Leeds-Grenville):** My question is to the Minister of Children's Services. I want to compliment her on her appointment.

Earlier this week, Minister, you had a question from one of your backbenchers. You responded with some comments related to the transfer of youth justice services to your new ministry. One of the quotes from Hansard was, "We will focus on helping kids get their lives back on track and become contributing members of society."

Could the minister explain what the rationale is for this transfer, and why her government feels it's appropriate to have a children's ministry responsible for 16- and 17-year-olds, some of whom are convicted murderers and rapists?

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**Hon Marie Bountrogianni (Minister of Children's Services, Minister of Citizenship and Immigration):** I thank the honourable member for his question. We believe that kids between the ages of 12 and 17 are

children, regardless of the difficulties that they've put themselves in. We believe they deserve a second chance.

Right now there are silos across the ministries when dealing with children. That is why the Premier thought, and I agreed, that one children's ministry with all of the children's services underneath would break down those silos and help those young people in trouble get their life together in a more coordinated fashion.

This hasn't taken place yet. If you have anything more specific, with specific cases, I would refer you to my colleague the Minister of Community Safety and Correctional Services. However, that is the thinking behind the new coordinated ministry.

**Mr Runciman:** I think it's appropriate that this minister receive the questions and respond, because in her earlier response she indicated that this transfer would occur before the end of the year. So I think plans are well underway.

This morning, citizens across Ontario were horrified to learn that two 15-year-old teenagers and a 16-year-old are being charged with murder in connection with the beating death of a 12-year-old grade 7 student. According to press reports, the boy was beaten to death with a baseball bat and his throat was slashed. Our sympathies—and I'm sure I speak on behalf of all members of the Legislature—go out to the young boy's family and friends.

If these teenagers are found guilty of the brutal murder of this helpless 12-year-old, can the minister tell us in a broad-brush way what type of programs she anticipates providing these people under her enlightened and caring Liberal approach to young offenders?

**Hon Mrs Bountrogianni:** I thank the member for the question. I can't talk about the specific case because it is under police investigation. I can tell you that the Liberal government is just as shocked and disgusted at this murder as anyone else in Ontario and will take this very seriously. I can tell you that there are community programs out there, but because of the silos it is very difficult to access some of those programs. I can tell you that because of the changes in the federal jurisdiction, the young offender numbers are coming down, but as the honourable member knows, that doesn't mean these kids aren't still in trouble. So there will be more access to other community programs, and we will consult to see what improved programs can also be developed to deal with these children.

**Mr Runciman:** This is a familiar theme. Certainly we've heard it for years from the federal Liberal government. According to Liberals, young offenders who commit serious crimes are victims of their environment and we need to treat them with kindness, provide swimming pools, pool tables, video games, rock-climbing courses, and all will be well in this rose-coloured Liberal world. That isn't the real world, and we all know it. Some of these people are violent, hardened criminals who put hard-working, honest Ontarians at risk.

I ask the minister not to go down this road. Can she make this commitment to all families—

*Interjections.*



**The Speaker (Hon Alvin Curling):** Would you allow the member to ask his question, please.

**Mr Runciman:** Can she make this commitment to all families who have lost loved ones or had their lives destroyed by the actions of violent young offenders?

**Hon Mrs Bountrogianni:** I'd like to once again thank the member opposite. Again, I'm a parent; I know you're a parent. Those of us who are parents were shocked and disgusted at what happened to this 12-year-old. I happen to have a 12-year-old, and as all parents know, that's the first thing that comes into your mind. We will take this very seriously.

The new children's ministry will also include kids right from birth to 18. Many of these problems, as the honourable member knows, as my honourable colleagues across the floor all know, happen very early in life. Prevention is the solution. We will deal with young offenders, absolutely. These murders should not take place and we will do everything we can to prevent them, but the best possible policy is long-term solutions to prevent the factors that lead to kids getting into these kinds of difficulties.

#### BALANCED BUDGET LEGISLATION

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** My question is to the Premier. Mr Premier, earlier today your office received a letter from John Williamson, the Ontario director of the Canadian Taxpayers Federation. You Liberals might remember him. He's the fellow who has been out there recently echoing our caucus's comments that your tax increases will hurt our economy and kill thousands of jobs in Ontario.

The letter sent to you states that, "On Friday, November 21, you publicly stated the balanced budget law is having a 'perverse effect on governments.' No other details were provided and your comments have been widely interpreted to mean the government is considering amendments that will scuttle the act in its current form."

Mr Premier, what Ontarians find perverse is your government's decision to, day after day, break your promises to the hard-working taxpayers of this province. It is the Liberal actions and Liberal broken promises, just weeks after the election, that Ontarians find perverse.

The taxpayers' federation and we in the PC caucus believe that any weakening of the Taxpayer Protection and Balanced Budget Act is totally unacceptable. My question to the Premier is—

**The Speaker (Hon Alvin Curling):** Make your questions a little bit shorter. You may be able to get it in the supplementary.

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I want to thank the member for his question, and I look forward to chatting with Mr Williamson some more on this matter.

Let me be clear to you and the people of Ontario: The balanced budget legislation is not working. You made the case for that. Under this balanced budget legislation, you maintained that you had a balanced budget when in fact

you had a \$5.6-billion deficit. That's why we have to fix the balanced budget legislation in Ontario.

**Mr Tascona:** Premier, it's time to be straight with the taxpayers of this province. In your election platform, paper number three, page 5, it says, "We support and voted for Ontario's balanced budget law. ...We will not bend the law whenever convenient."

That is not all. In your election platform, paper number five, page 13, it says, "We will comply with the Taxpayer Protection Act and balanced budget legislation, not bend the law at any whim."

There you have it from your own election platform. Can you tell the House and the thousands of Ontarians watching at home: Will you keep this promise as written in your election platform, or will you do as you have done before and break yet another commitment made to the Ontario voters?

**Hon Mr McGuinty:** It may have escaped the member opposite's attention, but in fact, he is a member of a party which itself broke its own balanced budget legislation.

We believe that the people of Ontario are entitled to responsible, balanced budget legislation. They do not have that in place at the present time. What they have is a bill that enabled this party, the party opposite, to hide a \$5.6-billion deficit. Obviously, this legislation is not having the intended effect, and we intend to improve upon that to bring real transparency and real accountability to real balanced budget legislation in the province of Ontario.

#### HEALTH CARE REFORM

**Ms Jennifer F. Mossop (Stoney Creek):** My question is to return to an issue that is of great importance to the people of Ontario and it is for the Minister of Health and Long-Term Care.

Minister, my constituents, as do most Ontarians, believe in universal and accessible public health care. Ray Romanow, in his report on health care, found a near-universal belief in public health care across this country. Over the past eight years, my constituents have been very concerned about the evidence of a creeping privatization in our public health care in this province. What will you clearly do to protect public health care and ensure universal and equitable access for all Ontarians?

**Hon George Smitherman (Minister of Health and Long-Term Care):** Earlier today, I had the honour of presenting a bill, Commitment to the Future of Medicare Act, which I recommend to all members of this House. I recommend it because it entrenches our values. I believe that medicare is the very best expression of Canadian values and that we need to build on it.

We'll build on it by entrenching the principle of accountability with those other principles that have long been in the Canada Health Act.

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Lastly, this bill will ensure that this government and any future government cannot do what that government did. When that government brought in seven private MRI

and CT scan clinics, not only did they give them to the private sector to operate, they also allowed insured Ontarians, Ontarians who have OHIP coverage, to buy their way to the front of the line. We'll make that practice illegal.

**Ms Mossop:** But there is also the issue of accountability. Whether public or private, the health care system must be accountable to the patients, their families, to the taxpayers, the community and health care workers. It's vital that we restore an atmosphere of trust in this province, especially in the area of health care. What will you do to ensure accountability?

**Hon Mr Smitherman:** On the issue of accountability, I have, in the five weeks since I was named health minister, worked within the health sector to usher in a new era of accountability. We've demonstrated that in our very transparent handling of the challenges with respect to sterilization in our hospitals.

A significant component of the piece of legislation that I introduced today is to create the Ontario Health Quality Council. That council will be an important tool to ensure that Ontarians get an annual report that gives them a very clear sense of what's going on in their health care system.

I'm very pleased that this government has made a commitment, which is to extend the powers of the Provincial Auditor to give the Provincial Auditor more opportunity to take a look at how we're spending money in our health care system.

These things combined will provide Ontarians with much greater accountability with respect to this most cherished service, the provision of health care.

## HOSPITALS

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** The Minister of Health makes a lot of noise about things being different, but at the end of the day they broke their promise to cancel the P3 hospitals. We're glad, because we knew that those P3 hospitals would make hospital services accessible more quickly to the people in Ontario.

You said yesterday, in response to the member from Brampton Centre, that the hospital in Brampton would be "a public hospital, unlike your deal," referring to our deal, "that it is publicly controlled and it will be a hospital that is publicly accountable." I would suggest to you that on September 28 of this year, the Royal Ottawa Hospital put out an announcement that said that the board approved the redevelopment model. They voted on principles that would stipulate the delivery of all health care would remain in the public sector, where it belongs, now and into the future. So what's different? What's the shell game?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I'm pleased that after this many days, the party actually gave this member an opportunity to stand and ask that question. Here's what I'll tell you. To the member opposite, our commitment during the election was that we would bring these hospitals back

into the public realm. What does that mean to the honourable member, who doesn't seem to get it so far? It means that these hospitals, unlike your deal, will be owned by the public hospital boards.

What else does it mean? It means that we forced language to be inserted into these contracts that makes absolutely certain of who's in charge: The public hospital board is in charge. Under your deals, the tail wagged the dog. We have made an assurance to the people that we will make these contracts public, because we believe in the fundamental principle of accountability and equality. These are deals that have restored public ownership, public control and public accountability, and that makes them a great measure better than the deals you offered.

**Mrs Witmer:** This is a lot of hot air and you know it. You know these deals are basically no different. You've inserted the word "mortgage," as opposed to "lease," but at the end of the day the private sector is still involved. In fact, I would suggest to you, and I'll read again from the Royal Ottawa Hospital: "This hospital will remain a public hospital. Recent comments made by those opposed to the redevelopment were deliberately deceiving the public by describing it as two-tiered medicine." To this day, you continue to deceive the public by referring to it as two-tiered. Let us see a copy of—

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. This might be about the third time for the week that I've warned members about using such language. Member, would you mind withdrawing?

**Mrs Witmer:** Yes, I'll withdraw from this quote.

**Hon Mr Smitherman:** I found it a rather precious word from a Minister of Health who, from 1997, for four years, ushered in \$800 million in unfunded liability in the form of operating deficits of hospitals that are now on their books in the form of working capital deficits, with no capacity to service them. And you're going to lecture me?

You say no big deal, your deal to ours? Let me tell you the big deal. This is an e-mail that I received on the afternoon after I left Brampton, from a woman who had long been involved with the Chinguacousy hospital board that had made the land available in the first place in Brampton. She said, "As a past chairman of the Chinguacousy health services board, I was very disappointed to learn the land and the funds for which we had been trustees for many years and given to the hospital" was to be transferred to private ownership.

We have made certain, in Brampton and in Ottawa, that those lands and those buildings will now and will forever be in the public domain.

## HIGHWAY 11

**Ms Monique Smith (Nipissing):** My question today is for the Minister of Transportation. Minister, last Friday, you and federal Transport Minister David Collette announced \$336 million in joint funding for 10 highway improvement projects across Ontario. The people of Nipissing and I were disappointed that Highway 11 was



not included in this announcement. My community has been promised that Highway 11 would be a priority for this government. I'd like assurances that the four-laning of Highway 11 between North Bay and Huntsville will be completed as promised.

If northern Ontario is to grow and prosper, if we are to attract industry and capital to the north, we need a viable transportation link. Minister, why was Highway 11 left out of your announcement last week?

**Hon Harinder S. Takhar (Minister of Transportation):** I thank the member from Nipissing for her important question. I can tell the honourable member that last week's federal-provincial announcement required that projects be part of the national highway system. Unfortunately, Highway 11 between North Bay and Barrie does not meet that criterion. However, that is just one program to improve highways in Ontario.

I can assure the member that the province is moving forward with the four-laning of Highway 11. In fact, of the 57 kilometres of Highway 11 that still need to be four-laned between North Bay and Huntsville, 10 kilometres between Trout Creek and South River are now under construction, to be opened in the fall of 2004.

**Ms Smith:** Mr Minister, I'm glad to hear that Highway 11 has not been forgotten, but I have to ask you more. I understand the financial situation that our province has found itself in, but my community has waited far too long. The northern economy depends upon safe, reliable transportation networks for its goods and its people to and from the north. The two-lane highway has been a barrier to economic development in my region, and we cannot afford any further delays.

Mr Minister, will you assure me that we are working toward the timeline that has been set out and that we will follow the timeline that has been set out for the construction of this highway?

**Hon Mr Takhar:** I would again like to thank the member for her question. As the honourable member points out, Ontario faces a large challenge in tackling the deficit. We did not create that problem, but our government will address it in a responsible manner.

We recognize that good highways are vital to northern communities, and we will help the north achieve its economic potential. Improving northern highways is a priority, and that's why we are committed to developing a northern Ontario highway strategy. Because I know how important this highway expansion project is to the member's community, I would be very pleased to meet with you and the Minister of Northern Development and Mines to discuss the next steps in the four-laning of Highway 11.

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#### VISITOR

**The Speaker (Hon Alvin Curling):** I just want the members to recognize a former member of Parliament, Mr Ed Fulton from Scarborough East. He's a former member of Parliament here.

#### PROJECT TURNAROUND

**Mr Garfield Dunlop (Simcoe North):** My question today is for the Minister of Community Safety and Correctional Services. In this new era of accountability and co-operation, why didn't you have the common decency and courtesy to the operator, the young offenders and their families know before you told the media that you have plans to close Project Turnaround?

**Hon Monte Kwinter (Minister of Community Safety and Correctional Services):** I thank the member for the question. You should know that this particular facility, operation turnaround, has been under review for some time. There is a contract that expires January 31, 2004, and we were looking in a responsible way to see whether or not that should be continued. After looking at the figures, after looking at the costs, which were, in many respects, absurd when you consider that today there are 15 young offenders in that facility with 40 staff, which is 2.8 staff members for every one offender, whereas in our other youth facilities the ratio is one staff to eight young offenders—it made no economic sense. The facility has problems. We have absolutely conformed to our contractual arrangements. There was no indication that this contract would be reviewed. If it was to be reviewed, it would have to go out to new public tender. The decision was made in the interests of saving \$2.5 million per year for the taxpayers.

**Mr Dunlop:** Thank you very much, Minister, for that response. First of all, that wasn't the question I asked. Second of all, it's not "operation turnaround," it's "Project Turnaround."

Minister, recently you've been responding to the media about your leader's desire to close Project Turnaround. To correct some of the comments before I ask my question, you need to know the following facts about Project Turnaround. The per diem costs are 33% less than those of other provincial facilities. Youths do not volunteer to come to Project Turnaround, and Project Turnaround is the only facility that has a certified vocational program and the only facility where programs are mandatory. Fourth, you and your leader have never visited Project Turnaround.

In light of these facts, of which you're already clearly not yet aware, are you prepared to stand in the House today and tell the staff and youth at Project Turnaround that you will review the private sector operator's contract and endeavour to keep this efficient and successful facility open?

**Hon Mr Kwinter:** You should know that the decision has been taken. The contract will not be renewed.

You should also know that some of the suppositions that you have indicated are not true. I've heard reports about the recidivism rate. You should know that (a) they have to volunteer in order to go there, and (b) there are no young offenders who have been charged currently or in the past for either arson, sex offences or homicide. Thirdly, any young offender who goes back into the regular system is not included.

So when you take this small amount—and today there are 15 young offenders in that facility that's meant to hold 32. If you use that number, then you can't possibly compare 800 young offenders with a whole range of very serious crimes and take 15 who have serious crimes but not to that extremity and say that we're comparing one to the other.

## HOSPITALS

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier, and my question is this: Premier, you said during the election, "We will end the Harris-Eves agenda of creeping privatization of health care." On Friday, you broke that promise. You okayed P3 hospitals in Brampton and Ottawa. The Toronto Star captured it very accurately.

On this, the first anniversary of the ground-breaking Romanow commission, Premier, will you explain to Ontarians why you are breaking your medicare promise and promoting P3 hospitals?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** To the leader of the third party, I was very pleased earlier today to be accompanied by my Minister of Health and to meet with Roy Romanow and celebrate the anniversary of his very, very important report. I want to assure the member that our new legislation breathes life into our very important commitment made to the people of Ontario that we're going to stand up for universal public medicare on behalf of our families in Ontario.

It's very clear. What we've done to these two hospitals in particular is ensured that they now fall under public ownership. They will be publicly controlled and they will be accountable to the public. That's what's important to the people of Ontario, and that's what we've done.

**Mr Hampton:** Premier, you're not fooling anyone. Once again it was accurately captured: "P3 by Any Other Name." It doesn't matter if you're talking about a Conservative lease or a Liberal mortgage, the reality is this: These hospitals are privately financed, which will cost more. The private financing and the private operator will want to make profits on top of the increased borrowing costs. That means that money of the health budget that would have gone to patient care now goes to the corporate profit line, now goes to the corporate interest line. It means that many of the services in the hospitals are going to be privatized, again with additional cost.

You announced the new health council today. Would you ensure that the first task of that health council is to investigate these P3 deals and within 60 days report on how much health care funding is going toward private corporate profits, private contracts and private interest costs?

**Hon Mr McGuinty:** Let me just say that I am very proud of these two new hospitals that are going to meet the interests of these communities. I'm proud of the work this minister has done in changing what were going to be private hospitals into public hospitals. The member may

think this distinction is somehow academic or esoteric, but I can tell you, and to the families of Ontario, we have stood up for them and on their behalf we have delivered public hospitals, publicly controlled and accountable to the people of Ontario.

## GREAT LAKES WATER QUALITY

**Ms Deborah Matthews (London North Centre):** My question is for the Minister of the Environment. The Great Lakes are a tremendously valuable natural resource, unique in the world as a source of fresh water. Not only are they of a magnificent beauty, but we rely on them for fishing, for tourism, for recreation and for drinking water. We have a responsibility to keep the Great Lakes clean and safe for future generations.

There are very disturbing reports that indicate mile upon mile of Lake Huron shoreline has been permanently posted as unsafe for swimming. Clearly, this is unacceptable. What is our government doing to ensure that the Great Lakes in general and Lake Huron in particular are safe?

**Hon Leona Dombrowsky (Minister of the Environment):** I would like to thank the member from London North Centre for her question. It's an excellent question and she's obviously very concerned about an important issue in her community.

Sadly, not only did the previous government leave us with a \$5.6-billion deficit that we have to deal with, we have many and serious environmental issues that are now facing us. This is one example of a cleanup that we must now begin to address, but this a job we will very gladly undertake because for this government the environment is a priority.

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I'm happy to say the Walkerton inquiry found that the previous government acted irresponsibly and made irresponsible cuts. However, our Premier has committed to implementing all the Walkerton recommendations. We believe those recommendations will be integral to protecting the environment of this province.

**Ms Matthews:** Thank you for your reassurance, Minister. Clean water is important to the people of London North Centre, whether it is in the lake or from our taps.

The previous government undertook reckless cuts to the Ministry of the Environment. The Walkerton inquiry found that those cuts connected directly to the disaster there. I understand that our government will, instead, take a responsible approach to the challenges ahead. My constituents want to know that the water they drink is safe. What has this government done to begin bringing about real change and implementing the recommendations of the Walkerton inquiry?

**Hon Mrs Dombrowsky:** I'm very happy to say that yesterday, as a matter of fact, the government brought all compliance and enforcement requirements of the Nutrient Management Act under the direction of the Ministry of the Environment. The addition of compliance to the Ministry of the Environment's enforcement requirements



fulfills a recommendation of the O'Connor report. This government is committed to implementing the recommendations of that report. This government will provide strong, clear and comprehensive rules, and my ministry will work co-operatively with my colleague the Minister of Agriculture and Food. We will consult with farmers and other stakeholder groups to ensure that all the rules that are put in place by this government are implemented properly.

#### NORTHERN ONTARIO ENERGY RATES

**Mr Norm Miller (Parry Sound-Muskoka):** My question is for the Minister of Northern Development and Mines in his role as guardian of northern interests. Congratulations on your new job. I would like to know what protection there is for northern Ontario households in your recently introduced energy bill. As you know, energy needs are far greater, and alternative fuels like natural gas or propane are not always available in the north.

I'd like to quote an e-mail I just received: "What are people in the north facing -25°C ... many days supposed to do? Turn off their electric heat mid-month ... and live with the Salvation Army till month's end ... especially if they are on pensions, or single parents?" How does your plan protect northern families who will use far more than the 750 kilowatt hours per month?

**Hon Rick Bartolucci (Minister of Northern Development and Mines):** Thank you very much for the question. I appreciate it. But I find it strange that it would be coming from a member of the opposition who campaigned extensively during the last election that the books were balanced, the books were balanced, the books were balanced. They went to every city and town across northern Ontario, saying the books were balanced. Well, the reality is that we are left with a \$5.6-billion deficit. The responsible thing is to do exactly what the Minister of Energy has done. It is the appropriate thing to do.

I must tell you that the people in northern Ontario have had to learn to be very resourceful over the course of the last 12 years, with your government and the former NDP government, and I must tell you that we will ensure that we use the conservation techniques that are in place to minimize the effect that you caused because of your mismanagement of Ontario's finances.

**Mr Miller:** Minister, perhaps you didn't understand. My question was not about the bogus deficit; my question was about what you're going to do to protect the interests of northerners who are going to be facing higher electricity bills.

Also, I'd like to know what protection your energy plan has for northern businesses. Yesterday I spoke to the management of a northern mine. They are trying to decide on the feasibility of an expansion that's going to provide, if it goes ahead, is going to provide some badly needed, high-paying jobs.

We already know that the manufacturing, lumber and mining sectors are grappling with the 20% higher value

of the Canadian dollar, with the softwood lumber dispute and with other challenges, including your recent tax increase. What concessions have you made in your new energy bill to ensure that northern businesses can remain sustainable? And this time, please answer the question.

**Hon Mr Bartolucci:** It is a fair question and we've been very, very responsible in our approach. We will continue to be very, very responsible in our approach, because we realize that if we do not get a handle on the problem that you created, there will be no sustainability in northern Ontario, because you put us in the hole.

#### NORTHERN ONTARIO DEVELOPMENT

**The Speaker (Hon Alvin Curling):** New question? The member for Sault Ste Marie.

**Mr David Oraziotti (Sault Ste Marie):** Thank you, Mr Speaker, and congratulations on your acclamation to the Chair of this House. It is clearly a reflection of the confidence that members have in your abilities to be fair and impartial.

My question is to the very capable Minister of Northern Development and Mines. As you are aware, the communities of northern Ontario are struggling economically to make ends meet; the youth of the north continue to leave at an unprecedented rate; and vital public services such as health care and education are in dire need of repair and reinvestment, largely due to the Conservative and NDP mismanagement. In the past, we have been entirely left out of the consultation processes. Northerners have real concerns and deserve to be heard and deserve to be provided with real solutions that will work for the north. Minister, can you tell me what strategies will be put in place to ensure that northern concerns will be heard?

*Interjections.*

**The Speaker:** I'd like respect be given to the member, who is asking his first question.

*Interjections.*

**The Speaker:** Order. It is always the practice here that we give the courtesy of silence for the individual to present his question.

Have you completed your question?

**Mr Oraziotti:** I have, Mr Speaker.

**Hon Rick Bartolucci (Minister of Northern Development and Mines):** I would like to thank the member from Sault Ste Marie and congratulate him on his election as the member from Sault Ste Marie.

We agree with the member's concerns and that's why our government committed to northerners to establish a direct link between their communities and their ministry and their minister, through the creation of northern development councils. These councils will directly advise the government regarding northern economic and social priorities, and help implement the strategies that we need for positive change in the north.

**Mr Oraziotti:** Thank you, Minister, for your answer. I want to congratulate you as the first northern development minister actually from the north in almost a decade.

As the minister is well aware, having a northerner in this position will help ensure that our concerns are understood. Minister, you mentioned northern development councils. How and when will these councils be set up and, more importantly, how will they benefit the constituents of Sault Ste Marie and other northern Ontario ridings?

**Hon Mr Bartolucci:** We're working to create these councils just as quickly as possible. I've asked the ministry staff to come up with various options so that we can create the right option. Once they are established, we will ensure that they reflect the uniqueness of the area that they are going to represent. Isn't that a refreshing thing to think about? Finally, for the north, we're going to have a government that sets its policies, sets its priorities and sets its decision-making based on the uniqueness on northern Ontario, for a change.

1510

### RURAL ENERGY CONSERVATION

**Mr Ernie Hardeman (Oxford):** My question is to the Minister of Energy. Minister, on Tuesday we heard you tell the people of this province that they have to "pay the price" for hydro and make a choice between lower hydro rates or investments in health care, clean air and clean water. You suggested the main intention is to force consumers to conserve energy.

But what happens to those who have no choice in how much energy they consume, people like the farmers in my riding of Oxford, who use hydro to heat their barns and dry their corn? Premier McGuinty told these people they would not have to deal with increases in the cap on hydro because his government was committed to keeping the cap until at least 2006. Are those farm families supposed to let their animals freeze and their corn rot so they can conserve energy because they can't afford the 25% increase in the cost of energy? This question is about how you're going to deal with the impact on our farming community, not the reason why you are proposing to do this right now.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** What the farming community has to pay for is a terrible Tory policy that's left this province deeper in debt than anybody ever imagined. We're confident the measures we've outlined can be managed by all sectors of the economy in order to preserve our ability to provide energy into the future. Failure to do so, in our view—and I know you disagree—will leave us with inadequate supply, higher priced supply, and an inability to allow farmers to be competitive on the international market due to too high energy costs. We have to do this now in order to ensure a stronger economic future, particularly for rural Ontario, and also for the rest of the province.

**Mr Hardeman:** Again, I just want to point out that the question wasn't about why you are doing this; the question was about how you are going to deal with the impact to the farming community.

A couple of days ago, I asked the Minister of Agriculture whether there were any impact studies done as to what impact this would have on the farming community, recognizing that your government did make that promise to the rural community that this would not happen, and now we're doing it anyway. In that exchange in the Legislature two or three days ago, the Minister of Agriculture said that those impact studies were going to be done, and he made that promise to the farm community at their annual convention. The farmers were somewhat supportive of it, I was told.

Imagine my surprise when I went home last night and saw the headline in my local paper: "Farmers to Pay the Price as Liberals Move to Lift Hydro Rate Cap." The picture on the front is the president of the Oxford County Federation of Agriculture, who said that he is greatly disappointed with the breaking of the promise of the Liberal government, who said they would not raise the price of their input costs, and now they are.

I would like to know from the minister whether he is going to do what the Minister of Agriculture—

**The Speaker (Hon Alvin Curling):** The members seem to want to make statements when they are asking a question. Please come to the point quickly.

**Hon Mr Duncan:** I know that farmers have expressed their concerns. My colleague the Minister of Agriculture, along with myself, met with the Ontario Federation of Agriculture on ways to encourage conservation and other means to cut farmers' energy costs. Carol Mitchell, parliamentary assistant to the Minister of Agriculture, will be setting up a consultation with farmers on conservation methods.

Nobody wants to do this, but we have to. Our failure to address this problem today will lead us to even deeper problems down the road. Our failure to comprehend the perverse impact that your policy has had on energy markets, in our view and in my view, can't be sustained. Our failure to address this, in our view, will harm the farming community probably more than any other down the road, because it can't be sustained. Our farmers are paying for your policy right now through their taxes. First, those energy costs go right through to the bottom line. Second, because of your deficit, that's going right through to the debt, which means they're paying taxes on it.

Your policy was wrong; ours is right. The farmers of this province know that and will work with us.

### GREATER TORONTO TRANSPORTATION AUTHORITY

**Mr Dominic Agostino (Hamilton East):** My question is to the Minister of Public Infrastructure Renewal. Our Premier, during the election and in the throne speech, committed to a Greater Toronto Transportation Authority and that there would be a consultation process before we implement the new authority.

As you know, during the past eight years my community of Hamilton has been ignored by the Conservative



government of the day, whether it was transportation, whether it was downloading, whether it was gridlock, whether it was air quality. The time has come now for Hamilton to be there and be at the table.

What I'm asking for is the possibility that Hamilton be part of the Greater Toronto Transportation Authority. Gridlock doesn't stop in Burlington where the border of the GTA stops. Air quality and GO Transit are very important issues that impact on the quality of life of my constituents and of the city of Hamilton.

Will Hamilton be consulted and be considered as part of the process for the new GTTA that is being considered?

**Hon David Caplan (Minister of Public Infrastructure Renewal):** I want to thank the member for the question.

Our first step toward easing gridlock will be the creation of the Greater Toronto Transportation Authority. The GTTA will take a leadership role for much-improved planning and coordination of transportation initiatives in the greater Toronto area in the coming months and years ahead.

In addition, the transportation authority will be asked to implement a user-friendly one-pass fare system, which will greatly improve the delivery of service for transit users throughout the GTA, which will include improving service delivery for Hamilton-area transit users as well.

The GTA is one of Canada's fastest-growing regions, and as we move forward with the creation of the Greater Toronto Transportation Authority, it will include an evaluation of the boundaries which have come to define the greater Toronto area.

**Mr Agostino:** Thank you, Minister. I'm certainly optimistic and encouraged by your response.

Involving Hamilton in the Greater Toronto Transportation Authority has the support of Mayor-elect DiIanni, Mayor MacIsaac of Burlington, the Ontario Chamber of Commerce and the Hamilton Chamber of Commerce. It is extremely important. Every day, 56,000 people from Hamilton go to work outside our own community. This is extremely critical to the future of the Hamilton area.

I'm pleased that the minister today has included Hamilton as part of that consultation process. I'm very hopeful that Hamilton will be part of the Greater Toronto Transportation Authority, because this government knows that the boundaries do not stop at Burlington, unlike the previous government, which totally ignored us for the last eight years.

Can you give us a timeline of what this consultation will look like and when this GTTA could be in place?

**Hon Mr Caplan:** Our initial first steps for the Greater Toronto Transportation Authority will be to engage the major stakeholders, including GTA transit authorities and local municipal partners. Our consultation will offer our stakeholders an opportunity to voice their input on the composition, the role and the goals of the Greater Toronto Transportation Authority, as well as the boundaries that have come to currently define the GTA, for the purposes of coordinating and planning transportation and transit services. This consultation will

begin in the very near future. I look forward to the participation of local municipalities, including the city of Hamilton.

I look very much forward to the input that we will receive into the development of the transportation authority. Since this initiative was announced in the throne speech last Thursday, we have received wide support from a number of stakeholder groups.

#### SPENDING REDUCTIONS

**Mr Tim Hudak (Erie-Lincoln):** I have a question for the Minister of Finance. First, I'd like to congratulate the Minister of Finance, who as of this afternoon will be the second inductee into the Dalton McGuinty promise-breakers club. He has earned this privilege for successfully and quickly breaking three promises: running a deficit, raising taxes and failing to deliver promised insurance-rate cuts. We have not seen this kind of triple-gainer, back flip-flop since the glory days of Mary Lou Retton.

I asked the minister, the acrobatic minister, the question yesterday. Will you table with the Legislature any letters or e-mails that you have sent around to your colleagues in the civil service describing your spending reduction targets for this fiscal year?

**Hon Greg Sorbara (Minister of Finance):** The only thing that's broken is the mess that that party left us. That's the only thing that's broken. The fact that they went through 28 days of campaigning on the fictitious notion that Ontario's finances were in good shape really sets them apart from all other governing parties in the history of this province going into an election campaign.

Let me tell you about the steps we're taking. We have rolled back the corporate tax cuts. We did that with Bill 2. Yesterday I introduced a bill that will freeze insurance rates, and in 90 days we will be bringing forth regulation that will reduce insurance rates by an average of 10% on automobiles.

1520

**Mr Hudak:** I say to the minister, you're already in the club. You can stop with the act. You got your membership card. You're part of Dalton McGuinty's promise-breakers club. You can come forward with the facts from now on. You've made it in the club.

A very interesting contrast: In 1995, then Finance Minister Ernie Eves immediately went to work, rolled up his sleeves and found \$2 billion worth of savings in his first three weeks in office. I find it hard to believe and quite a failing that this Minister of Finance has not yet identified one dime of savings to put toward this year's books.

I'll ask the minister again, has he or has he not set specific spending reduction targets for this fiscal year and, if so, what are they?

**Hon Mr Sorbara:** The cuts that Ernie Eves made in 1995 set back our hospitals and our school system and they have not recovered over the course of eight years. You cut water inspectors and you cut social assistance;

we roll back corporate tax cuts. You took billions away from kids in schools; we took away the private school tax credit. We're going to stand on our record, I say to my friend from Erie-Lincoln.

## JUSTICE SYSTEM

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** This question is for the Attorney General. Minister, in my community, Etobicoke-Lakeshore, people are concerned about crime and the justice system. They want assurance that those accused of crime will move through the courts and the justice system in a timely fashion. There's a concern that the courts in our province are carrying a heavy court load in cities like Toronto and Ottawa and around the province. Would you please tell this House what concrete steps you will be taking to ensure that Ontario courts operate efficiently.

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** I'm happy to talk about, in the time remaining, what we are going to do to tackle a very heavy case load, as you say, what we're going to do to make sure that our communities are safer and stronger and what we're going to do to ensure that we have a strong and potent justice system.

But I'd also like to tell you about what we've already done. I was very happy to announce this week that we have appointed 10 new justices to the Ontario Court of Justice. They will be sitting in courts across the province: in Ottawa, in Toronto, in Newmarket, in Sault Ste Marie and in Barrie. This is just part of our government's commitment to ensure that justice happens in a timely fashion and that the courts operate efficiently. This is just the beginning of the McGuinty government's commitment to an independent justice system, a strong justice system, safe communities and real rights for victims of crime.

## PETITIONS

### SENIORS' PROPERTY TAX RELIEF PROGRAM

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** Since the election, many people—renters and homeowners—are concerned they're going to lose the tax relief promise to the existing legislation. This petition is signed by some of those people in our area.

"Whereas Liberal leader Dalton McGuinty has announced plans to scrap the Ontario Home Property Tax Relief for Seniors Act, eliminating this tax break for renters and owners; and

"Whereas this tax relief would help Ontario seniors remain in their own apartments and houses, and assist them to meet rising costs; and

"Whereas this tax relief program would provide \$450 million in net benefits for 945,000 senior households;

"We, the undersigned, respectfully petition the Parliament of Ontario as follows:

"That the government of Ontario support Ontario seniors and help them remain in their own homes by maintaining the PCs' Ontario home property tax relief for seniors program and rejecting any proposal to take this tax break away from our senior citizens."

I support our senior citizens and it's my honour to affix my signature to this petition.

### SMALL BUSINESS TAX RELIEF

**Mr Ted Chudleigh (Halton):** "Whereas business tax cuts have helped fuel the strongest economy and economic and job growth ever seen in Canada; and

"Whereas corporate income taxes on small businesses that create most of our new jobs have been scheduled to be reduced to 5% in 2004 and 4% in 2005; and

"Whereas the corporate income tax rate for manufacturing and processing firms has been scheduled to be cut to 10% for 2004, 9% in 2005 and 8% in 2006; and

"Whereas the general corporate income tax rate has been scheduled to be 11% for 2004, 9.5% for 2005 and 8% for 2006; and

"Whereas the capital tax on employers is on the road to be cut by 10% in 2004, with a plan to scrap it entirely;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the government of Ontario stay the course and maintain the scheduled tax reductions for job-creating businesses."

I'm pleased to affix my name to this very eloquent petition.

**Mr Ernie Hardeman (Oxford):** I have a petition with respect to the small business tax relief and I wish to present names on the petition. These were gathered at recent meetings: the Canadian Federation of Independent Business, and a local chapter of the Canadian Manufacturers' Association.

"Whereas business tax cuts have helped fuel the strongest economic and job growth ever seen in Canada; and

"Whereas corporate income taxes on the smaller businesses that create most of our new jobs have been scheduled to be reduced to 5% in 2004 and 4% in 2005; and

"Whereas the corporate income tax rate for manufacturing and processing firms have been scheduled to be cut to 10% for 2004, 9% for 2005 and 8% for 2006; and

"Whereas the general corporate income tax rate has been scheduled to be 11% for 2004, 9.5% for 2005 and 8% for 2006; and

"Whereas the capital tax on employers is on the road to be cut by 10% in 2004, with a plan to scrap it entirely;

"We, the undersigned, petition the Parliament of Ontario as follows:



"That the government of Ontario stay the course and maintain the scheduled tax reductions for job-creating businesses."

I sign this petition.

## ORDERS OF THE DAY

### ONTARIO ENERGY BOARD AMENDMENT ACT (ELECTRICITY PRICING), 2003

### LOI DE 2003 MODIFIANT LA LOI SUR LA COMMISSION DE L'ÉNERGIE DE L'ONTARIO (ÉTABLISSEMENT DU COÛT DE L'ÉLECTRICITÉ)

Resuming the debate adjourned on November 26, 2003, on the motion for Second Reading of Bill 4, An Act to amend the Ontario Energy Board Act, 1998, with respect to electricity pricing / *Projet de loi 4, Loi modifiant la Loi de 1998 sur la Commission de l'énergie de l'Ontario à l'égard de l'établissement du coût de l'électricité.*

**M. Gilles Bisson (Timmins-Baie James):** Sur un point d'ordre, monsieur le Président : comme vous savez, chaque année on a l'opportunité de célébrer la fête de quelqu'un de spécial dans cette Assemblée. Comme vous savez, on a eu une élection, et justement l'Assemblée n'a pas siégé durant tout le temps de cet été. J'aimerais prendre cette occasion pour féliciter tous les députés courants et les députés passés qui n'ont pas eu la chance de fêter leur fête avec nous, et j'aimerais, de la part de notre caucus, le troisième parti, célébrer cette fête avec tout le monde qui n'a jamais eu une fête dans le passé, dans le futur. Merci beaucoup trop tard.

**The Speaker (Hon Alvin Curling):** That's not a point of order, but thanks for the information anyhow.

Yesterday, I think at the end of the period, Mr Hampton—is it a point of order?

**Mr Bisson:** On a point of order, Mr Speaker: I would ask unanimous consent to finish the time for our leader, Howard Hampton.

**The Speaker:** I heard your point of order.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I ask that we recess for five minutes to allow Mr Hampton to finish being interviewed by the media.

**The Speaker:** Do I have unanimous consent? Agreed. This House is recessed for five minutes.

*The House recessed from 1530 to 1536.*

**The Speaker:** The member for Kenora-Rainy River.

**Mr Howard Hampton (Kenora-Rainy River):** I believe that last night I was at the point where I was pointing out that despite the government's claims about their energy bill, that this somehow represents new energy policy, in fact there is no new energy policy. What there is is a duplication of the energy policy of the

former government. The former government said some four years ago that privatizing and deregulating our hydroelectricity system would lead to new supply, cleaner air, and, they said at the time, to lower prices for electricity. The Liberals at the time—in fact, Mr McGuinty was a most fervent supporter of the Conservative policy of deregulation and privatization of hydroelectricity—said that would happen as well. And now what we have in this bill is that while the Liberal government will change the Conservative rate cap, they are going to continue that policy: privatization and deregulation of what is an essential service.

I simply want to remind the people across Ontario to reflect back now, four years later. We were told it would lead to lower costs for electricity, cleaner air and new supply. I want people to reflect back, because if they think about it today and look at their hydro bill in the year 2000 and look at their hydro bill now and compare, what they're going to find is that their hydro bill has doubled. If you look at the number at the bottom of the page in each case—and that's only the number that really counts—the hydro bill has doubled. Second, there is no new supply. Third, the air isn't cleaner; it's in fact dirtier. And fourth, we're constantly at risk of the lights going out, which was the experience in the province in August of this year. In fact, over the last couple of years there have been a number of days, a number of occasions, where we were at risk of seeing the lights go out, a blackout.

I heard the energy minister say, just as Conservative energy ministers used to say, that if you let the price of electricity go up, it will entice the private sector to build new supply. Once again, Conservative energy ministers and now this Liberal energy minister have been trotting out that tired old line for four years. Norm Sterling, Conservative Minister of Energy, trotted out that line; Jim Wilson, Conservative Minister of Energy, trotted out that tired line; Chris Stockwell, former Conservative Minister of Energy, trotted out that tired line; John Baird, Conservative Minister of Energy, trotted out that tired line. It didn't work. And now we have Mr Duncan, the Liberal Minister of Energy, trotting out that tired line, and it's not going to work for him either.

Why won't it work? For a couple of reasons. If you go talk to the private energy companies, the Brascans and whatever the rump of Enron is that still survives after their accounting scandals and swindles in California, they will tell you that the electricity price would have to be allowed to increase much more to entice them to build.

They don't just want profits; they want mega-profits. They want to be able to pick the pockets of Ontario small businesses and Ontario industries and Ontario consumers. They want mega-profits. They want the kind of manipulation that Enron was engaged in in California. So you have to let the price increase substantially in order to entice the private operators to build new generating sources in Ontario. But that, for Ontario, means that people's hydro bills will skyrocket even more. And it means that energy-intensive industries in this province,

like the steel industry, the mining industry, the smelting industry, the refining industry, the pulp and paper industry, the auto assembly factories, and yes, the high-tech industry—we would lose jobs in those sectors. I think the Minister of Energy is starting to get clued in to that.

There's another reason, though, why it would be very difficult for the Brascans, the Enrons and the TransAltas to build, and that is because after the scandals, particularly in the United States, some of which are still emerging, where some of these corporations built new generation, borrowed lots of money from the banks and then couldn't repay their loans, the financial institutions aren't willing to lend them money any more for new supply.

Here in Canada, for example, the Toronto-Dominion Bank was burned to the tune of hundreds of millions of dollars. The Canadian Imperial Bank of Commerce was burned to the tune of hundreds of millions of dollars. They were burned in this scam once already. I doubt very much that they want to be burned again. So many of the so-called private energy companies—the rump, the remnant of Enron, the Brascans, the TransAltas—can't get the loan capital to build new private facilities, can't get the loan capital for the \$100-million, \$200-million, \$300-million construction costs. In fact, many of the American electricity giants can't even get the banks and financial institutions to refinance their existing debt, never mind give them new loan capital for new construction.

This minister is going to find, just as the Conservative energy ministers did—this myth that you bribe the private sector with some money and they will come—that he doesn't have enough money to bribe them with. He doesn't have enough money and he can't pick the pockets of Ontario consumers and Ontario small businesses enough to satisfy the greed of those private electricity providers.

Finally, the minister says there are some conservation steps in this bill. There are no conservation steps. Frankly, the only conservation theory that this government is following is the same one the Conservative government followed, which is, if you drive the electricity price high enough, some people won't be able to pay it. But that's not conservation; that's deprivation.

**The Speaker:** I thank the member for Kenora-Rainy River for his contribution to the debate.

It's now time for questions and comments.

**Mr Bob Delaney (Mississauga West):** It is a pleasure to rise before this House and to represent the people of Mississauga West and to thank the people in the neighbourhoods of Meadowvale, Streetsville, Churchill Meadows, Lisgar and Erin Mills for having sent me to this place.

We are shocked that the member from Kenora-Rainy River would not support measures that would save the lives of so many thousands of vulnerable Ontarians from the noxious air pollution fumes spewed out by our coal-generation plants.

We are disappointed that the member from Kenora-Rainy River could not understand that the noxious nitrogen oxides, the heavy metals and the other pollutants that spew from the smokestacks at all coal-fired plants represent a far greater hazard than the member has let on with his economic arguments that, frankly, one would expect to come from the official opposition and not from the independent members.

**Mr Bisson:** Mr Speaker, on a point of order: I listened attentively this afternoon to the ruling you gave here in this House in regard to how we are to refer to each other in this House: It is by riding or, for a minister of the crown, as minister of such and such, not by party affiliation. I would like you to clarify that to the member. Seeing as he's a new member, he might need a bit of a refresher.

**The Speaker:** I want to thank the member for the point of order. I will tell every member to try to recognize individuals by their riding and by their status in their party. But I would also say to you, while I am on my feet, that the member for Kenora-Rainy River continued in his long speech to refer to people here by their name. I would just say in general that I would like all members to participate in that kind of direction.

I know it's your first time, member for Mississauga West. I think there are about 30 seconds or so on the clock and I would ask them to roll the clock back 30 seconds.

**Mr Delaney:** Thank you, Speaker. The measures announced by the Minister of Energy will provide Ontarians with stable base generating capacity, clean economical power that we can count on for generations to come, and will respect the innovation and skills of Ontario businesses that provide the components and the stations that make up our energy grid.

**Mr Bisson:** I listened intently last night and again this afternoon when listening to the leader of the third party, my leader, the member for Kenora-Rainy River, raise the issue in regard to where this government is going with their hydro policy. As a northerner, I really take heed of the comments he makes because I understand, I think as most other members in this assembly probably understand as well, that one of the highest costs of doing business in northern Ontario is energy costs.

If I look at the example of industry within the riding of Timmins-James Bay, as it would be in Kenora-Rainy River, Sudbury, Sault Ste Marie and other communities across the north, we have some of the largest hydro utility customers in Ontario. In fact, Falconbridge in Timmins, at the metallurgical and mine site, is the largest utility customer of the Ontario Hydro system. Others in ranking are also situated in northern Ontario. By and large, industries in the north, because of the very nature of industry—being refineries, smelters, pulp-and-paper plants—are high energy users when it comes to both electricity and natural gas.

I just know, because we've gone through this battle before, that when the former Conservative government tried to tinker around with the electricity system—I



should say, put a sledgehammer to it—by trying to move to an open market and a privatized system, energy prices went through the roof. As a result, we had to lay people off in our community, because some of those major utility customers in both the mining and forestry industries were having a hard time trying to make ends meet as it was, in an already tough economy and a tough market for their product, let alone what happened with energy. In fact, one of the reasons that Falconbridge laid people off this summer was anticipation of peak power prices.

So I say that the policy this government is following by way of energy is going to lead to job losses in northern Ontario, and that's something you will understand come the next election.

**Mr Brad Duguid (Scarborough Centre):** I listened with interest to the comments of the leader of the third party. I've got to tell you, when I was going door to door in the last election, our constituents still remembered some of the things that happened during his time in government a number of years ago. When we look at what the NDP did when they were in power, the member and his government added \$4.2 billion to Ontario Hydro's stranded debt. That's part of the reason why we have such problems here today. They increased hydro rates by 40%—40% in just three years. They're worried about what we're talking about here. It's not even close. They built no new supply, no new supply at all, and that's why we're in an energy crisis right now as we speak. We need new supply. They not only didn't build clean and green supply, they built no supply at all.

1550

Worse than that, they cancelled the lifeline to Manitoba, an agreement that would have given us other options instead of having to rely on importing American power. We could have had an agreement with Manitoba; it was totally irresponsible at the time to cancel. What did they use the funds for? They used the funds to buy a Costa Rican rainforest. People still remember that. I can't believe that at the door I was still hearing that in the last election. People still remember that.

The current government is acting responsibly with the direction we're taking right now. Thank God that we have change from the NDP, and thank God we have change from the Tories.

**Mr Garfield Dunlop (Simcoe North):** I'm pleased to rise this afternoon to take part in a couple of questions and comments surrounding this piece of legislation. I'm very happy that the member just referred to the leader of the third party as the leader of the third party. Although I'm not in agreement with the policies of the New Democratic Party, I certainly do agree that you do have a place in this House. Under the democratic renewal program of the McGuinty government, I'm sure that democracy will prevail and you will have a seat here before long.

I'm glad the member from Scarborough mentioned the lifeline to Manitoba, because we took those steps earlier this year, as you know, when Ernie Eves signed a

memorandum with Mr Gary Doer, the Premier of Manitoba, for that particular transmission line.

*Interjections.*

**Mr Dunlop:** I can hear the heckling in the background saying that didn't happen, but the fact of the matter is that there were memorandums of understanding both with the province of Quebec and the province of Manitoba. It's amazing when you stand in this House and you do try to tell the truth, you try to state the specifics, that you hear this heckling in the background saying that it's all wrong when in fact they're trying to take credit for it now because they've made no agreements whatsoever.

This is an interesting topic because, as we heard last night and we're going to hear for the next couple of hours, this is a very controversial subject in Ontario. The Liberals did not keep their promise on this topic. It's as clear as can be. They did promise the citizens of Ontario that they wouldn't raise their taxes and they wouldn't lift the cap until 2006. Unfortunately, that hasn't happened and we're here today trying to fight for the jobs of the citizens of Ontario because this may be a giant step in the removal of hundreds of thousands of jobs from Ontario. Thank you for this opportunity.

**Hon James J. Bradley (Minister of Tourism and Recreation):** On a point of order, Mr Speaker: I'd like unanimous consent of the House to do another two minuter so I can quote from Mr Hampton's book where he says he's not ideologically—

**The Speaker:** Order. Do we have unanimous consent? I didn't hear unanimous consent.

The member for Kenora-Rainy River has two minutes.

**Mr Hampton:** Actually, I'd be happy to take up the member from St Catharines. My opposition to private power is not based on ideology; it's based on the fact that whether you look at Great Britain, New Zealand, California, Alberta or Montana, it has been an environmental disaster, a financial disaster and, frankly, has created ongoing problems in all those jurisdictions. I'm surprised the member for St Catharines doesn't know that yet.

Now, I want to respond first to the member for Mississauga West. I recognize you're new here, but do you realize that the speech you gave was given by the former member for Mississauga West, only he was a Conservative? It seems that the Conservatives gave him the same kind of speech. You should demand a new speech. That speech didn't work for the Conservatives and, my friend, it's not going to work for you either.

Then I want to speak to the member for Scarborough Centre because I recognize he is new here too. He should go back and check the Hansards. Do you know who the most avid opponent of the Manitoba transmission line was? It was the former energy critic of the then opposition Liberals. His name was Dalton McGuinty. Let me quote: "Does the minister continue to support the Manitoba purchase?... We know now it's cheaper to produce this electricity in the province than it is to buy it from Manitoba.... we now know that if we cancel the deal today"—this is in 1992—"it's going to cost us \$82 million, but if we wait until the end of the environmental

assessment hearing, it's going to cost us over \$200 million." Why was it cancelled? People, like your leader, were almost out of control in their opposition to the Manitoba purchase. You want to know why there is no Manitoba hydro? Talk to Dalton McGuinty. He was the most vocal opponent—

**The Speaker:** Thank you. Further debate?

**Mrs Donna H. Cansfield (Etobicoke Centre):** I'm pleased to be here representing Etobicoke Centre, to speak about the electricity bill with my colleagues.

On August 14, 2003, the lights went out in Ontario—all over Ontario, except for a very few places. Yes, consumers were warned that this could happen in peak times and that blackouts actually could occur. Consumption was close to its highest peak in Ontario and in the United States, and it happened. It exposed the vulnerability of Ontario's hydroelectric system and, ultimately, it shook the confidence of its consumers.

These comments are similar to those of the David Suzuki Foundation, which echo the thoughts of thousands of people in Ontario, for Ontarians pay more than \$12 billion every year to keep their electrical system running.

However, there was still more to come. The repeated intervention of the government in the industry, the uncertainty, the instability of the system and the long-term contracts that were not there ultimately made Ontario an unattractive place in which to invest. If you go back and remember, originally the idea was to drive out the inefficiencies and drive down the cost, and ultimately it would make the market competitive. Instead, what happened? The cost of debt rose and we saw the withdrawal from the market by investors.

In addition, the previous government imported supply from the United States from coal-fired electrical generators. I know the member from Kenora-Rainy River feels like I do, that this is not amusing, because more than 2,000 Ontarians die every year—20 of whom are in my community—from smog-related respiratory disease, and yet we continue to import coal-fired electricity from the United States. There's something wrong. It's not sustainable. Something had to be done and confidence had to be restored to the system.

I'd like to take this opportunity to congratulate the Minister of Energy for following through on his commitment to deliver to this Legislature a responsible approach to electrical pricing. In making the announcement, the minister has certainly given Ontarians the straight goods, and this is definitely something that the previous government failed to do.

The truth of the matter is that the Tory's 4.3-cent rate cap was nowhere near representing the true cost of electricity in Ontario. It actually created a net cost to this government, and ultimately the taxpayers, of \$800 million, close to \$1 billion by December 31, and still counting. This situation is not sustainable and is undermining the province's long-term ability to fund critical services such as health care and education. Clearly, the responsible course of action is the one my colleague

Minister Duncan announced yesterday, a plan to bring electricity prices in Ontario closer to the true cost of electricity, a plan to encourage conservation and energy efficiency, and a plan to begin rebuilding confidence in Ontario's electrical system.

**1600**

Yesterday, we heard from a colleague that there was an issue around our seniors—our seniors are important to us; all Ontarians are important—that this individual might in fact have a cost attributed to her electricity bill, and she will. But when it comes to the winter and we can't guarantee that there will be a supply of electricity and that furnace goes out, then tell me what the cost will be to our health care system if that person becomes ill. If that person is elderly, we may not find that person until it's too late. So this is really important to us, that we look to a sustainable future.

The proposed Ontario Energy Board Amendment Act is fair to consumers, it is fiscally responsible and it does encourage conservation and energy efficiency. So the 4.3-cent price freeze is not, and was not, sustainable. It would be irresponsible for the province to continue to subsidize electricity consumption at the expense of taxpayers and future generations. It would also be irresponsible for the province to continue to discourage conservation by shielding customers from the true cost of electricity. So we must get serious about conservation. We do need to do more to encourage both businesses and individuals in Ontario to look at ways to conserve and to use electricity wisely.

The proposed Ontario Energy Board Amendment Act provides just the first step. It would encourage conservation by providing homes and small businesses with a lower price for the first 750 kilowatt hours of electricity consumed each month. It would also protect consumers by providing stable prices that enable them to pay their monthly bill. The proposed plan would not take effect until April 1, 2004, and it enables not only the consumers but us to provide those incentives for conservation. It would give consumers a chance to review what they do and use in terms of their energy, to help take those conservation measures and ultimately limit the impact of that change on their electricity bill.

The bill also includes another important conservation initiative. It permits local distribution companies to achieve their full commercial return as of March 1, 2005, but only on the condition that they reinvest one year's worth of those additional monies in conservation. Today I happened to be at the renewable energy task force, speaking to these local distribution companies. This is something they are really interested in doing, because previously they were actually penalized when they tried to do it. They were told that if they did do this, there would be a penalty, so why would they bother considering to go forward? This would result in the investment of approximately \$225 million toward conservation initiatives, one of the highest levels of investment in this area in the history of Ontario.

As I've noted, the proposed Ontario Energy Board Amendment Act is just the first step. We need to do more



to demonstrate the benefits of conservation, to help homes and small businesses use their electricity wisely.

Electricity is an interesting commodity. You can't store it, and most people take it for granted. But when it's not there, just as we saw in August, it results in a major disruption of our lives and of the lives of our business-people as well. So supply is important, and we will be giving this a high priority in the months ahead.

Conservation is equally important, and we will be giving this the attention it deserves to ensure that Ontario continues to have a secure, reliable and sustainable electricity system.

I was pleased to note that the Minister of Finance on Monday proposed to extend the retail sales tax program for high-efficiency Energy Star-qualified appliances: refrigerators, clothes dryers, freezers, washers and dishwashers. I also note his commitment to consult with the public on long-term measures that can be taken to promote conservation and energy.

I encourage, and I know my colleagues will encourage, people when they are purchasing new appliances to look for the Energy Star designation. Those appliances will help to lower their electricity bill. For example, a qualified clothes washer will use 35% to 50% less water and 50% less energy per load than the average clothes washer. An Energy Star dishwasher is also more than 50% more efficient than a standard ordinary dishwasher.

I realize that not everyone in Ontario is in a position to purchase new appliances, but that doesn't mean they can't take other kinds of conservation measures. There are a number that we can all take that require much less investment and in some cases only require that we change our behaviour and our attitude: buying and installing fluorescent light bulbs—small point, big savings; using a programmable thermostat for your furnace—turn it down at night and turn it up in the morning. If you leave, don't leave it there; again, turn it down when you're out. Turn up your air conditioner a couple of degrees during the summer months. Reduce the leakage in your taps, especially hot water taps. These are small points, all of which add up to saving electricity. Maintain your refrigerator and your furnace. For example, if you have a furnace that uses one of the filters and the filter is dirty, the furnace doesn't run at the same efficiency. Change your filters on a regular basis. Shut down your computer or your VCR when you're not using them. Don't forget that these are the kinds of machines that draw power on a regular basis and increase your electricity bills. By saving energy, we save money, and that money could be spent where we want it to be, in our education and health care systems and ultimately on our families and our communities.

I noticed a few press reports indicating that conserving energy means doing away with festive lights during the holiday season, and I wanted to tell you this is not the case. Tomorrow night I have the pleasure of being in Mississauga on behalf of the minister to enable people to trade in their old holiday lights for the new LED lights. This is a 97% efficient Christmas light bulb. What an

opportunity. So there are ways and means we can work together. For example, these bulbs last up to 20 years. I don't know about your family, but that makes a lot of sense to my family.

As members of this Legislature may know, in a previous life I had served as chair of the Toronto District School Board, and for 15 years I spent a lot of time in education. I wanted to speak a little bit more about how that role can work to help to change attitudes, not just around the issue of conservation but about the issue of sustainability.

Sustainability is taking your society, your economy and your environment and putting them in balance, enabling young people to know and understand how fragile the earth is, and that for their future, our future and the future of generations to come we remember—I'll paraphrase it—the aboriginal prayer, "Walk softly on Mother Earth because you walk on your future." It is so important that we teach children to care for their environment, and that environment is beyond just the environment. It's society, it's the economy, and their balance. That's the concept of sustainability.

One of the most important ways we can do that is through our teachers. We have in this city alone 400,000 young people. We have teachers who embrace the concept of sustainability and take it and integrate it into their existing curriculum, where they share with the children in their classroom the difference between biology and law and how that concept is a part of their everyday thinking. It's not an add-on. It's not just thinking about the environmental issues; it's thinking about the whole concept. When we teach our children, we know we teach the future, because ultimately it's through the children across the breakfast table or the dinner table that they engage their parents, their aunts and uncles and grandparents in those conversations that help them make a difference in their thinking. Children are the greatest teachers of all in many respects.

I believe this energy policy in the province will not only encourage conservation and make good economic sense, but it makes good environmental and sustainable sense. It will reduce our reliance on coal-fired generators and lead to a better quality of life for all of us. Interestingly enough, as I've listened to the debates over the last while and I speak about sustainability, I actually believe that everybody in this House thinks the cap should go, from a different perspective. Some think it should go in 2006. Others believe it should never have been there in the first place. We believe it's just bad public policy and needs to go for a lot of reasons, obviously one of which is sustainability.

**1610**

But I also think that the people in this House believe in the concept of sustainability and might be prepared to work together to find the ways and means to develop those long-term strategic plans that enable us to change how people think, so that in fact we can use our energy efficiently and effectively. I believe that everybody wants a place where the water is safe to drink and the air is

clean to breathe. We may have different paths by which we get there, but we all ultimately want the same goal.

For me, I see the future is bright, not dark—pun intended—and that we can get there, if we choose to get there, by working together. Those strategies that are short-term, medium- and long-term are important not only to ourselves, to our teachers, to our children, to our communities, but ultimately to the future of Ontarians for generations to come.

I wanted to be able to say a couple of words about something that I know many of you have talked about, and that's meters. I brought with me information about metering and the different kinds of meters that we have in Ontario for what we can do. Let me see if I can remember. They are interval meters and time-of-use meters—bucket meters, as they call them. These are the kinds of options that we'll be looking at in the future, and whether or not they are practical. I know there are a number of energy generators—local distribution companies—that are using them. Can they be sustainable? Are they affordable? Are they something you want to look at en masse, or are they something you wish to pilot?

We also know that these are things we can't do alone, that in fact you require partnerships. You need to reach out to your communities, whether it's the local distribution companies, the generators, the communities as a whole, or even the government of Ontario, which obviously has the lead role in all of this, in terms of taking Ontario forward for a better energy and conservation initiative.

We'll be able to develop those strategies by bringing those stakeholders to the table. Ultimately, we may begin by bringing together within the government of Ontario those ministries—the Ministry of Training, Colleges and Universities, the Ministry of Education, the Ministry of the Environment. We all bear some responsibility in terms of developing those strategies.

Then we reach out beyond that to those people who wish to help us. I can tell you that they are there, and they are numerous: the McConnell Foundation, the Shad Foundation, Dearness, Pembina, TransAlta—a number of companies which have been working with the federal government and NRCan, and also here with the sustainable future, on how we can develop curriculum and initiatives to enable people to learn, to change their habits, short term and long term.

Of course, the obvious is that we can all start by setting that perfect example ourselves. When we go into a room and the light is on, remember when we leave it to turn the light off. Maybe if we start getting into those habits ourselves, they are the kinds of things people will pick up on. We can be the leaders or the mentors, if you like, in that particular initiative.

One of the other things that we are looking at that could be done is looking at the long-term investment and enabling investors to again have that restored confidence in Ontario. One of the ways that we can do that is by providing what we've done with this bill: a stable, pre-

dictable and ultimately good long-term supply, in terms of electricity, for the people in Ontario. That attracts investors. We can't do this on our own, in terms of the costs. We do need the investors. We do need that partnership between public and private.

Those are the types of initiatives. I welcome and applaud the minister for the work that he and his staff have done. It has been absolutely superb. I look forward to consulting with and working with people right across Ontario.

Actually, I challenge each and every one of you to go home to your constituencies and find out what energy efficiencies are currently being used—those household tips, if you like, some of which already come through our distribution companies, some of which people themselves have been entrepreneurial and come up with—that you can then cross share with us, so that we can do a better job in terms of conservation and energy supply in our province.

**The Acting Speaker (Mr Mario Sergio):** Questions or comments?

**Mr Dunlop:** I want to congratulate the new member for Etobicoke Centre for her speech in the Legislature this afternoon. I want to also congratulate her on her victory in the election. I can tell you that she's replacing one of the most colourful members of this Legislature we've ever seen in Chris Stockwell. Of course he filled the position of Speaker and a number of positions in the cabinet.

**Mr Peter Kormos (Niagara Centre):** He also travelled well.

**Mr Dunlop:** Yes, he travelled a fair amount.

I do want to congratulate her for her comments today. Although I don't agree with some of the things she said, I certainly agree with a lot of the issues she brought up around conservation. That was, of course, the goal of the bill we introduced last year on capping. We put a number of incentives in using financial assistance for people who are purchasing appliances etc.

I think we all have to look at what happened as a result of the blackout. I don't know about you folks over there or anyone else in the Legislature today, but I think everyone had strong thoughts of conservation on their minds the week following the blackout, and I have those views right to this day. I never really thought much about it until the blackout hit, and then I realized how much we take hydro and our utilities for granted.

We don't say much in these two-minute hits, but I do want to congratulate the new member again, and I look forward to further debate here.

**Ms Marilyn Churley (Toronto-Danforth):** I too want to congratulate the member for Etobicoke Centre. I want to congratulate and thank her for her very positive speech. I listened carefully to the speeches—

**Mr Kormos:** As did I.

**Ms Churley:** —as did my colleague the New Democratic member for Niagara Centre. I listened carefully to all the speeches made by the new Liberal members. I hear the ones that are respectful and positive and the ones



that aren't. I have to say to the member that I very much appreciated her tone. She spoke about her beliefs, her hopes and about looking at ways that we can, in fact, improve the electricity system in this province, which we all agree we have to do. Because she was so positive, I'm not going say the things I planned to say about broken promises—I'm not saying that, am I?

But I do have to say that I find the new slogan for breaking ironclad promises—I admire your approach to that. They now call it taking responsible action. I think that's pretty neat. That's a pretty good turnaround for talking about broken promises.

**Mr Kormos:** Manoeuvring.

**Ms Churley:** Manoeuvring.

I would say to the member that dwelling on conservation and talking about conservation is key; it's really important. We've known that for a long time, and we haven't done enough in that area. I'm looking forward to seeing what the new Liberal energy minister is going to bring forward in terms of real conservation. We know that New Democrats, when we were in government, did bring in some conservation and efficiency programs, which the Tories immediately threw out. There were some very good ones cited by the Suzuki Foundation when they came during the election campaign—it didn't get much play. We need to bring many of those back.

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** I'm very pleased to rise tonight and speak with regard to this bill, which will bring forward safe, clean, affordable and stable energy for our children and our children's children. Our government's plan is taking a responsible approach to electricity pricing that better reflects the true cost of electricity and will encourage conservation. Conservation, in turn, will help us meet a commitment which is very important to my community of Etobicoke-Lakeshore, and that is to phase out coal-fired generation by 2007. This is ultimately crucial to the community of Etobicoke-Lakeshore, which is near the Lakeview generating facility, which spews dirty air over my community.

1620

One of the organizations which I have been involved with over the past is a group called Good Air, Safe Power, which is precisely undertaking and has worked hard over the years to ensure that our coal-fired generating plants are closed down. Shutting down these plants will lower Ontario's emissions of the four worst air pollutants by 20%.

Our government believes that we can do something to have cleaner, better air in our province, and it is crucial. We must do that because the Ontario Medical Association has proven that each and every year in Ontario, smog causes 1,900 premature deaths in this province, 13,000 additional emergency room visits and \$1.1 billion in health care costs and lost workdays.

I can tell you, when I participated in the smog summit in Toronto last year, I was devastated to learn of the long-term health consequences that smog has on our children. New research is demonstrating that, in fact, DNA is changed for life when children breathe in dirty

air. So I commend the minister on this great work and I look forward to seeing coal-fired generating plants closed.

**Mr John O'Toole (Durham):** I would also like to rise and extend my congratulations to the member from Etobicoke Centre, and appreciate that she really is delving into a very important policy area that will be discussed broadly here.

I don't think there will be a huge amount of difference, except with the position of the third party. Finding the right way to achieve this while protecting consumers is really what the debate should be about. She did, at the end of her remarks, mention a few of the tools that need to be brought forward to give consumers some control of their usage at the meter level. Hopefully sometime this afternoon I will be speaking on that issue.

But I am also looking forward to our critic, the member from Burlington, shedding some light on the issue and certainly bringing the new members up to date on this policy discussion. It has been held for 20 years.

Certainly one of the comments made just preceding my comments was with respect to the issue of coal and where it fits into the generation side of providing peak power and looking at future prices on commodities. It would be interesting to note whether we purchase that from other sources in other countries that probably use a source that is the same source of fuel or energy: coal.

At the moment, supply adequacy is a very large debate within the sector, and perhaps later this afternoon I will have some time to talk about a recent conference held in Toronto by the largest producers in the province of Ontario and indeed the country looking at the forms of fuel, both currently and in the future, that will provide the generation of supplied energy that we'll all expect to have there, to provide the grid with the power and the load the consumers expect and businesses need.

**The Acting Speaker:** The member for Etobicoke Centre has two minutes for response.

**Mrs Cansfield:** I'm actually delighted to be able to learn from everyone in the House who has had the opportunity to look at the issue of conservation, and I look forward to having the opportunity to review all the members' initiatives in this area because, you're right, for some period of time people have been looking at it and it would be foolish not to engage all of those conversations to see what it is we can do.

Ultimately, the differences are there on the one end, but we all tend to agree on the issue of conservation and the need to instill in our children something to deal with their future.

For us, I think what we need to be able to do is pull from the different perspectives, the initiatives, the thoughts and concerns about renewables, the things that have been tried in other countries—some of which have been successful, some of which have failed.

But I think what is most important is to develop a long-term, comprehensive plan, not a Band-Aid approach, something that is just going to happen because it's going to make somebody happy for a short period of

time. Good conservation takes time, and I look forward—I really do—to working with everybody to make this truly an initiative that might be one of the House for all of the children and, as I say, the future of Ontarians to come.

**The Acting Speaker:** Further debate?

**Mr Cameron Jackson (Burlington):** I want to compliment the member who just spoke on her appointment as the parliamentary assistant. I have known her for quite a few years and I'm going to very much enjoy working with her in the next four years, in particular as the parliamentary assistant to the new Minister of Energy.

I have been allocated a specific time, Mr Speaker, and I will be dividing that with my colleagues from Durham and Kitchener-Waterloo.

There's no question that all Ontarians are concerned about the future of hydro and the access to long-term and future sources of electricity that are affordable and priced fairly in our province, that every Ontarian wishes to do their fair share in conserving, not just for reasons of reducing the impact on their pocketbook but also for the reasons that have been enunciated with respect to cleaner green energy and its effect on our environment and our personal health.

I think the concern that has emerged in the last week or so in this province is the fact that Ontarians have not been invited to participate in any kind of public debate about the future of this important resource, the future of consumer protection and affordable power in our province. This came as an absolute shock to everyone.

As you know, on October 29, the government, having its first official act, broke a promise and hired a highly priced private consultant by the name of Erik Peters to give them a written opinion based not on an audit that should have occurred with a significant enterprise such as the province of Ontario, with its \$70-billion-plus budget, but rather on a simple snapshot of the finances of the province during a specific three- or four-day period. Erik Peters reported with much fanfare in his report that he had come to some conclusions that, if we were to measure the projected deficit on those three or four days, six months from now, we very well could indeed be looking at a \$5.6-billion deficit.

We all now know—and it has been demonstrated by the media, economists, the business community and through the debate in this House—that that snapshot is no longer relevant, primarily because much more information has come to light which was not included in the terms of reference that were handwritten by staff in the Premier's office and handed to Mr Peters as part of his private consulting contract to manufacture this deficit and this report.

The proof of the pudding is in Erik Peters's own conclusions. He says very clearly, "Owing to the future-oriented nature of the assumptions and resulting information" about this budget and the future deficit, "neither the assumptions nor the information can be audited. This is why my review does not constitute an audit." He is very clear to explain what the value of this document is.

We don't know how much taxpayers paid for the first of many private consultants whom the Liberals will be hiring, but in the end he says, and I quote from his report, "I express no opinion as to what the actual deficit for the year ending March 31, 2004, will be." This bears repeating. This is from the paid private consultant, Erik Peters, who produced this report based on a request for a very narrowly defined set of guidelines in his private consulting contract. He says, "I express no opinion as to what the actual deficit for the year ending March 31, 2004, will be."

I hasten to add that in my long years in this building, I did participate in an all-party exercise to hire Mr Peters. I find him to be an outstanding public servant. We have had on occasion, our government and the previous government, difficulties and sometimes disagreements with the manner in which he treated certain matters in the books, but I have the utmost respect for the man. That's why I am so very clear to indicate here in the House that he was hired as a private consultant to prepare an opinion based on narrowly defined guidelines.

1630

The reason I want to put that on the record so carefully is because that information, that the manufactured future deficit for this fiscal year for the province of Ontario could be as high as \$5.6 billion, became the seat of truth in the mind of a new government as to the reason why they would change the way electricity was going to be priced almost immediately in Ontario.

The Premier would have us believe that he received this report from Erik Peters on October 29, and less than 24 hours later, having slept on this report for one full evening, he woke up the next day and decided, "You know what? We're going to have to get rid of the cap on hydro rates in order to balance the books." That's exactly what he said, that the \$700 million, approximately, that it was costing taxpayers or the provincial treasury to ensure consumer protection in this province was no longer sustainable because we were looking at a potential deficit of \$5.6 billion.

Did he call up the people at the Ministry of Energy and ask them, "Could we work on this for a couple of hours today and discuss how the mitigation fund that the province set up under the previous government is performing?" After all, over the course of the four years of the cap—it was put there as a means of creating stability for consumers while a whole series of new activities occurred that would ensure greater conservation, greater consumer protection, the ability to seek out and finance new forms of energy to expand our grid. All these objectives were part of the overall plan, but the cap was to provide us a brief period of time to find these solutions and to consult with the public at large as to how they can partner with us and make them effective.

Much has been stated so far about one of the most obvious, which is conservation measures. I'll come back to that in a moment. But I want to get back to the fact that we have from the government a manufactured deficit as the basis for going in and grabbing from consumers



hundreds of millions of dollars that will come in the form of increased energy rates as well as increased taxes over the course of the immediate future and of course in the next fiscal year.

To prove that this deficit is not as high as they are suggesting, for example, Erik Peters was not allowed to consider the fact that the federal government had already promised to the province of Ontario that it would receive close to \$800 million as an adjustment under the Canada health and social services transfer payments. We now know that we're getting that. We knew, frankly, two months ago, but if you're writing those narrowly defined guidelines from staff in the Premier's office to hand to private consultant Erik Peters, he's not allowed to look at those because he didn't have the cash in his hand, or he may not put it on the books this year; he may have received the cash. And when you consider the SARS money that we've received to date, the \$330 million, that puts that at \$1.1 billion. Already this deficit is dropping.

The incredulous nature of the government to on the 29th still say the cap is in place, and then on the 30th, the next morning, wake up and announce to the public, "Oh, by the way, we think there's going to be a deficit we can't handle as a government." That's the other message that's very clear, that they are not up to the job of handling this deficit, and because they can't handle the deficit, they're going to have to find all sorts of new sources of revenue. I want the House to realize what the general public has realized of the events of this week.

We have heard in this House that the removal of the cap will, in and of itself, generate close to \$800 million, the equivalent of what the Liberals would have us believe is going to continue into the future as the cost of subsidizing our 4.3-cent rate cap. Instead, the Liberals have gone out and found a way to find \$800 million more by allowing local utility companies that do the distribution to charge back all the costs that had previously been approved by the Ontario Energy Board and that we had put a hold on for a series of very good reasons.

They also announced a tobacco tax, which in four months will raise \$800 million—again this figure of \$800 million. They're going to pick that up between now and the end of the fiscal year. One could reasonably argue that in the next four months the smokers of Ontario could have found the dollars to ensure that the 4.3-cent cap could remain. Now, I'm not here to suggest for a moment that that's a good way of designing and planning for our electricity future. I am, however, suggesting that the smoke and mirrors of this manufactured deficit and this Liberal government's way of dealing with it is causing concern amongst consumers, because invariably it comes back to the fact that they are going to simply have to pay more because this government, the Liberal government, lacks the political will to go in and find those savings inside their government. They lack the ability to manage the situation that they themselves figure is out of control. It's not out of control.

Treasurer Manley was in town not too long ago to advise this province that it can anticipate an additional

\$500 million—half a billion dollars of additional revenue in this fiscal year. This was information that was not available to Erik Peters in his opinion; it was unavailable for Peters to put into his report. But we have it from the authority, the federal government, which is responsible for all this collection, that we're now going to have—and I have other examples. The SARS money: Why did the government settle on accepting just one third of what we were eligible for? There is additional unanticipated revenue from commercial income tax revenue. There's the OPS hiring freeze: \$300 million of savings.

The issue here is that the day after they received the report, the reason they're intervening in the marketplace—the way they're intervening in the cap on hydro, rather—is because of this manufactured debt.

Did the Premier consult with any of his ministers or his caucus members? They had to have been the most surprised people in the province. They were reading about it in the paper at the same time we as taxpayers and consumers were reading about it in the newspaper. I don't think that's very fair. I don't think it's fair to their caucus, nor do I think it's fair to a whole series of cabinet ministers who are charged with the responsibility of ensuring they can continue to deliver programs, which I can tell you will be put at some risk as they go into programs where energy prices will be going up a minimum of 25%.

For the Minister of Health, we're talking about hospitals. How many nurses will have to be laid off in order for hospitals to balance their books to pay for the increased cost of energy? How many daycare centres will have to close spaces or increase fees in order to pay their hydro bill so they can remain open? The list goes on and on. Schools—I say to the respected parliamentary assistant, something she's very concerned and keen about as well—how many teachers are going to have to be laid off in order to keep the lights on in those schools? My colleague talked earlier today about its particularly harsh impact in northern Ontario and in rural Ontario with their predominant dependence on energy sources.

So we have a situation where the government would have us believe that they came to this realization in that 24-hour period. Well, I personally reject that. Not for a moment do I believe that the Premier was going to make a decision of this magnitude, involving one of the largest energy corporations in the world, involving something as fundamental as hydro, having told the public that he would keep the cap in place and that he would still honour his commitment to remove coal-fired plants by the year 2007—and I respect that position. I'm not sure how achievable it is, but I acknowledge and applaud the notion that that is good public policy. It is our view as well. When we were the government, we were not quite sure we would be able to achieve those benchmarks by the year 2007.

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No, the truth of the matter probably is closer to the fact that he knew all along that he was going to make this change. What he failed to do was to be open and upfront

and honest with the people of Ontario that in fact this is what his plan was. I believe it was a deliberate, wilful and deceptive move on the part of the new Premier, having only been on the job a few weeks, that now he was going to fundamentally change the way electricity was going to be delivered.

**Mr Shafiq Qadri (Etobicoke North):** On a point of order, Mr Speaker: I thank the honourable member, but "deceptive" and "deliberately misleading" and "falsehood"—I think that's very contrary to the standing orders.

**The Acting Speaker:** Would the member withdraw the word "deceive."

**Mr Jackson:** I used the word "deceptive."

**The Acting Speaker:** "Deceptive."

**Mr Jackson:** I'll withdraw the word "deceptive," but I think the member opposite should withdraw the words "deliberately misleading." I didn't use that. I'd like to use those words, but I thank the member for raising them if that's in fact what he was thinking when I was speaking about his government's actions. He has now helped me put that on the record, and that is actually now on the record, so thank you. I agree with you. That's exactly how I felt as a taxpayer and as a member of this chamber.

The community at large has commented—well, there have been a lot of comments in the media. Obviously, this decision was well received by a whole host of other people in our province. There are some very interesting people who were very pleased to receive the news that we were removing the cap, that profiteering was now the order of the day, that the priority was that we needed to guarantee financial returns and that distribution companies, transmission companies, the uplifting charges, all of these increased costs, which frankly, for the record, are almost all taxable and generate significant new revenue to this provincial government—we find that that is the number one priority for the government.

What's interesting is that there was very little comment from the minister when he tabled Bill 4 about consumer protection, partially because he has no intention of providing consumer protection in the front end of this legislation. We may have to wait upwards of two years for the Ontario Energy Board or some new entity to manage the process for consumer protection, which brings me to the issue of conservation, which is one way in which a consumer can protect himself.

We do not have in this province an adequate program that enables people to be better consumers and empowers consumers to be able to monitor their use. They're left being told that they must buy high-efficiency refrigerators and turn their lights off. This simplistic level of conservation isn't the necessary empowering instrument. They need a whole series of new innovations, which are almost market-ready but not fully market-ready in this province or anywhere in Canada, for that matter.

But see, by leaving the cap on for a period longer, it would have allowed the government to plan for these increased costs and empowered consumers to have the ability to protect themselves. They've put the cart before

the horse. They're saying that they have to guarantee the profit, they have to open up—the only way they're going to find new investment, the only way to save hydro and its affordability and to find new sources of energy, is to increase the profit.

Make no mistake—this is one of the compelling arguments from the NDP. They talk very clearly about the cost of producing hydro versus a pricing regimen in Ontario that has profit built into it all the way down the system. That's an overly simplistic way of describing the NDP's view, but they do make a valid point, that the system is not designed to look at finding new sources of energy or to determine the most affordable way of acquiring new energy.

In fact, the system is completely geared to determining price. The spot price happens to be one of the highest prices, and everybody down the line receives the higher price when it is determined. So there's very real concern out there that even though the government has moved the cap a little higher, what they don't talk about and what they're not focusing on is that half of the hydro bill that you get every two months that deals with all the additional charges that are presented by your distribution company and the transmission lines and the uplift charges and retiring Hydro's stranded debt, all of those factors are subject now to a potential—not even a potential. It's clear that there is over \$800 million worth of increases coming to consumers, predominantly residential and business consumers, who will pay that additional charge over four years simply because the Ontario Energy Board has been approving it.

A bit of a mistake was made in the past in this whole process of deregulation. That was the notion that by allowing municipalities to assume the distribution of their hydro—in other words, taking over the old public utilities at no cost; we transferred them to many municipalities—we were surprised and a little shocked at the activities of some of these utilities charging back to their customers, the very people who own the utility, additional financing charges. This practice became so out of control that the government, as we all know, intervened.

I'm just going to give you an example of what happened. I wrote an article in my paper to my community back on July 19, 2000. The "city of Burlington opted to incorporate and retain ownership of Burlington Hydro. The utility is valued at \$80 million and the city assumed a \$39-million share of the company on paper for tax purposes. In turn, it is charging back \$3.5 million worth of interest payments on the \$39-million share. This artificial transaction is all without any monies changing hands except the city then took \$10 million of net cash assets and transferred it to the city coffers."

It's hard to explain to people that the hydro they've been paying for the last quarter-century of their life has now resulted in a transfer and that they, as taxpayers in Burlington, now owned this utility and that the city was going to borrow money against it and charge it back to the very people who paid for it. This was rather frightening.



The reason I want to put this on the record is that these are the corporations, the distribution companies, which have approved from the Ontario Energy Board significant rate increases. In Burlington's case, it's sitting on a 9.8% increase, waiting. I expect that city council in Burlington is very happy with the Liberal government decision because they can now increase every hydro bill to every citizen by 9.8%, simply to pay for the money they took out and then lent back to the citizens of Burlington. The city of Toronto, for example, holds a \$980-million debt at 6.5% with Toronto Hydro. The going rate is 3%. Hamilton took \$137 million from its hydro utilities.

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We're going to want to discuss with the minister in a lot more detail exactly how he is going to protect consumers in this regard. I understand that the bill, on the face of it, enables him to adjust prices and gives him certain authority to allow local distribution companies to increase their bills and to recoup some of their investment. But I have yet to hear a process by which the public's going to be able to participate in a consultation, to have input, to be able to tell this government that these are some of the charges they feel are not appropriate.

We can start with the most obvious one, and that is the federal government charging GST on hydro. The province doesn't charge PST, but the federal government seems to feel that they can get away with charging the GST. It's interesting, with all these meetings that the new Premier has had with the federal government and, in particular, Finance Minister Manley—I understand that Manley shortchanged Ontario by over 60% of its SARS disaster relief money. I recognize that the Prime Minister has shorted us in other areas of the transfer payments. Knowing of course that the new Premier was planning to change the pricing mechanism for hydro in this province, you would have thought he would have at least scored a minor victory for consumers and said, "You know, you have to pass a regulation in your federal cabinet, Prime Minister, before you step down, do the right thing and not profiteer on hydro, especially since we're planning to increase the price and, therefore, they're going to be paying hundreds of millions more dollars in GST to the federal government." That didn't happen.

There has been no real effort to protect consumers. All week my colleagues have been raising issues about the increased costs that are going to be borne. My colleague from Haldimand has raised issues for farmers and my colleagues have raised issues about sole-support family members on limited incomes.

We have very little information from this government about the impact that this is going to have. We would hope that before we have to vote on this legislation we will have an opportunity to influence the public consultation process and public meetings, which I believe the minister has promised. I hope he doesn't renege on that. We would hope that the public has an opportunity to have a fuller explanation about the powers that he anticipates transferring to the OEB. Since he is silent on that, we need to know that a committee of this Legislature is

going to have an opportunity to look at those regulations before they come in place, because very clearly the concerns from this side of the House, having put a cap in place in order to buy us time to put certain mechanisms in place to protect consumers and to drive new green energy—which we were successful in doing with the efforts of the former member from Scarborough, Steve Gilchrist, one of the most ambitious green energy programs ever in the province—anywhere in North America for that matter—with very real, achievable benchmarks, working with consumers, providing tax incentives for them to convert to those forms of green energy.

We have none of that before us as we're about to make this decision. No, the fundamental first decision is we have to sell out the voters of Ontario first and then we'll begin the process of selling off more and more publicly owned Ontario Hydro or OPG.

Quite frankly, we will not be supporting this legislation because there are more questions left unanswered by this minister. He has not given us the full impact costs. He has only talked about the rate of hydro going up. That's half of the bill. Frankly, for the record, only half of the energy consumption in this province is consumed by small business and individuals. The other half is consumed by the very large industrial consumers. They do not have the cap in place on them and they have a different arrangement for the rates they pay for hydro in this province.

This is clearly an intervention aimed at consumers, and not in the name of conservation. This is done as a means of financing future deficits for the province of Ontario. It'll take us a little while but we will be able to project the hundreds of millions, in fact billions, of dollars that this government will profit from the decision they are making today, and those dollars will be used for them to balance future budgets, much in the same way the federal government used the unemployment insurance fund to balance its books. It used a scare tactic. It used inappropriate, misleading numbers federally to suggest that they were at risk. We know that Ontario paid a disproportionately higher amount of its UI dollars. It created a \$7-billion or \$8-billion surplus for the federal government at the expense of Ontario businesses. That's how they balanced their budget.

Since the departure of Prime Minister Chrétien has been announced, we know that a significant number of his immediate staff have found their way to the new Premier of Ontario's office and they're bringing with them that tactic: "We know in Ottawa just exactly how to find money and how we can take money from one sector and use it for another purpose for the government." This sleight-of-hand approach to taxation should not be brought back into the province of Ontario. It was uncovered federally, it's not appropriate, and I truly believe that the real issue here is that they will be generating significant additional revenue to pay down the deficit on the backs of small consumers and small business with hugely increased—25% increases to the rates that people will pay for their hydro now and well into the future.



I would like to spend a little more time, but my colleague from Durham has served on the energy review committee of the Legislature. He has a nuclear facility in his region and has been of significant assistance to me with his commitment to this agenda and the work he's done advocating for his community. I'd like to yield the time to him, as I indicated earlier, in the hope that he too will share with the people of Ontario just what the true agenda is for the new Liberal government of Ontario. Broken promises mean taxpayers were sold off and next will come more of a sell-off of Ontario's hydro.

**Mr O'Toole:** Mr Speaker, I might in advance let you know that I'll be sharing the 27 minutes left with my colleague from Kitchener-Waterloo, who also has a passion for—I suppose you would say it's beyond energy—just good policy in the public interest.

One has to look at this bill fundamentally as an ongoing debate on public policy, but substantively it's a demonstration of a broken promise. That's the problem. I think it's just being honest, really, with the electors when you're running an election. Given that this policy had been discussed broadly and debated by all sides of the House—in fact, you supported our response to the opening of the market. The only person I really believe here who in all honesty carried the public interest right from the very beginning, although the solutions were not widely endorsed, is the member of the third party, Howard Hampton. In fact, Public Power was the thrust of their entire election campaign. Yet you somehow skilfully skated around a very important topic that now, after you failed to commit to your promises, has resulted in an unexpected, unplanned, unanticipated increase to those who could least afford it. That starts with, in my case, persons on fixed income, and specifically it's been mentioned a couple of days that small business, and in many cases agriculture, have yet to understand the full impact that this will have on their operations. Primarily it's the supply-management group.

Those are all sort of complaints, but I think I'll start at the beginning, really. Would he like to think that perhaps one would need to look at the Donald Macdonald commission, which started in 1994, 1995? Donald Macdonald, who was really Trudeau's finance minister, is a very reputable, independent person who was asked by the government to examine the state of affairs in the whole electricity marketplace.

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Donald Macdonald really wrote a very definitive report with the support of a lot of experts, economists, engineers and statisticians. The whole army of experts came up with a model of saying that the vertically integrated model of generation transmission and distribution wasn't very responsive to government policy and/or consumers.

We saw during the NDP era an attempt to deal with the policy issue of electricity, and their plan was basically to increase rates until finally, in fact in 1993, I believe, the NDP, if you check the record, actually froze the rates. They were the first ones to actually interrupt the

market and freeze the rates. Of course that contributed significantly to the accumulated debt, and Macdonald identified that the accumulated debt had arrived at about \$38 billion.

So what I'm doing here is trying to point out the reason for government action. After they consulted, they estimated that the total stranded debt, which is debt that wasn't supported by assets, was basically in the order of about \$15 billion. So at that point in time, we had to deal with how you're going to pay off the debt. I think it's a responsible measure. I see members on the other side nodding their heads. It's an appropriate way to deal with a problem that all parties of all stripes had contributed to.

In fact, I put to you, even if you read in detail the Macdonald commission, you'll find that Ontario Hydro had become a slave of government economic policy. How did that work? I think it was the Peterson government that made the decision on the nuclear plants to start them and stop them. In our case, in Darlington—my riding, of course, is Durham—there's a very successful nuclear operation, Darlington nuclear plant. Just down the road a little bit to the west is the Pickering nuclear plant and one of the older plants, and of course, there's one in Bruce.

When he added up all the assets versus the liabilities, there were about \$15 billion that they couldn't support. So our response to that was to put a charge on the rate, which I'm anxious to see how you deal with, and to set up the revenue flow that came from that charge of 0.7 cents per kilowatt hour. It's a pretty significant charge. The rate was about 4 to 5 cents, and 0.7 cents is about a 15% increase right there, just to pay off the debt. So it's a significant whack; there's no question about it.

I think our plan to deal with the stranded debt was perhaps a little aggressive. We were looking for capital at the same time in the industry. They were looking for refitting Pickering and refitting Bruce. These refittings were coming into the billions of dollars. In fact, the government's next initiative was to have a committee—it was called the NAOP committee—the nuclear asset optimization plan committee. It was an all-party committee, of course: Sean Conway, Jim Bradley—I can name all the members. It recognized that the assets themselves were being depleted because of lack of attention to repair over a number of years by, I guess I would say again, all parties.

I'm just saying there's a serious problem and it hasn't gone away. Your bill here does nothing to deal with that. It does put a lot of rate into the system, and I don't think our plan is fully understood by members on the other side—not to be critical—but it was a four-year plan. As Mr Jackson said, a mitigation fund was set up to allow the generation side to increase the supply. If you can increase the supply, hopefully prices would stabilize; you'd be importing less power.

In our attempt there, the NAOP committee came up with a recommendation of about \$3 billion that was going to be used to refit the Bruce and Pickering plants. We've all seen with some shuddering and misgiving—I



see Mr Arthurs, former mayor of Pickering, certainly knows lots about this topic—the lack of ability to deliver reactor number 4 on time, on schedule and up to power. I guess it's my understanding that they're close, if not at full power, in that one reactor now. That's my understanding; I haven't watched it in the last couple of weeks. But they were close to bringing it to full power, which would bring in about 800 megawatts, I believe, per reactor. They have overspent the NAOP allocation already. In fact, it brings into question the mechanism. I think I would say in public here that we brought in what they called a turnaround team—Mr Andognini and some other American hotshots—who were going to change the culture from design-build to operate-maintain. To this day, I still have some outstanding questions as to whether those were the appropriate agreements. I know many of the skilled trades people who live in my riding call me quite regularly, giving to me living examples on an ongoing basis of inappropriate use, in all cases, of public money.

Why I referred to the government with questions and comments I made earlier was that this is a public asset, there's no question about that, so paying for it either in a tax rate or some other rate is really a tax. Even paying off the stranded debt—let's face the facts—is a tax: 0.7 cents per kilowatt based on consumption.

Dealing with that, we found that the mitigation fund over four years, by increasing supply, would stabilize pricing. The pricing that we set, 4.3 cents, was a reasonable target given that we didn't want to kill the economy. As Mr Jackson said earlier in his remarks, when you look at the whole consumer side of this equation, about 50% of the power is very small business, institutional and residential. The largest consumers are the economy of this country. The largest consumers, of course, are the resource industry, the steel industry, mining, forestry and the petrochemical industry. If you want to increase their power, you'll be cutting jobs. So there are some strong, difficult economic questions ahead when you structure—I've looked at Bill 4 in some content. It does give the minister a fair amount of discretion—a terrific amount of discretion, if you want to know. He also has the final say on rates. So I'm wondering how much power the Ontario Energy Board really has, because the minister once again, as a politician, is potentially interfering.

The other action—and I'm just going to take a couple more minutes because I see the member from Kitchener-Waterloo is anxious. The government set up a committee, and this committee, I believe, was an extremely important committee. I just want to read the terms of reference that were stated by the Premier in the budget. This was when we were government. Among other things, he was actually reducing the provincial sales tax on energy-efficient appliances. I'm pleased to see in Bill 4 that you've extended that. Hopefully you will in fact expand it to some extent to encourage and educate consumers on the important consumption-conservation side of the equation.

It says here, "As Ontario's economy continues to grow there will be a need for more electricity." That's the

adequacy-of-supply question. "The Independent Electricity Market Operator (IMO) in their '10-Year Outlook: An Assessment of the Adequacy of Generation and Transmission to Meet Future Electricity Needs in Ontario from January 2003 to December 2012'"—these are the terms of reference—"has indicated under the reference resource scenario with median demand growth, additional resources within Ontario are forecast to be required for reliability purposes beginning in 2009. These additional resources could take the form of new generation or price-responsive demand."

There has been some talk about price-responsive demand and there's more to be said on demand-side management. It's a big part of the solution here.

"Long-term security of electricity supply for consumers is a necessity for the growth of Ontario's economy. Characteristics of a secure electricity system will include a mix of diversity in fuels, locations, technologies, minimization of volatility, reliability, resilience, responsiveness and demand-side participation."

This is a term that everyone should become familiar with. "Demand-side participation" really is a codified word for the consumer. Today the consumer in Ontario really has no tools. They pay a blended price. So if you try to shift peak load, you don't get rewarded. In other words, if you do your laundry at night or run your dishwasher at night, off peak load, so they say, it doesn't affect your bill one ounce because you pay a blended price. If everyone did it, or if we moved all the clothes washers and that to off-peak load, we would have an impact on the overall grid demand. But that's unfortunate. You have to give some of the demand-side tools—interval meters and things like that—to consumers, as was mentioned earlier by the member for Etobicoke Centre. If I had more time, I'd certainly speak at some length on that topic.

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The goal here was that the Premier of the day, Mr Eves, was wise enough to set a committee whose terms of reference were to deal with conservation and generation. A tremendous amount of work has been done by that very reputable group. That committee still exists; it's now chaired by Courtney Pratt. Mr Pratt is also the new CEO of Stelco, I believe. The co-chairs at the time were Peter Budd, an eminent lawyer dealing with power contracts; Gunars Ceckster, president and CEO of Enersource; John Brace, president of Northland Power; Ron Osborne, president and chief executive of OPG; Duncan Hawthorne, CEO of Bruce Power; Tom Parkinson, president and chief executive officer of Hydro One; Dave Goulding, president and chief executive officer of IMO; Mary Ellen Richardson, president of the Association of Major Power Consumers; Don Gibson, a lawyer with McCarthy Tétrault; Ed Houghton, chair of the Electricity Distribution Association; and Steve Dorey, who's actually with the Ministry of Energy. There was also Don MacKinnon, president of the Power Workers' Union; Bryne Purchase, Deputy Minister of Energy; Jan Peeters, chair and chief executive officer of Olameter;

Paul Norris, president of the Ontario Waterpower Association; Mike Crawley, president and chief executive officer of AIM PowerGen Corporation; Rebecca MacDonald, chair and chief executive officer of Energy Savings Income Fund; and David McFadden, of the Stakeholders' Alliance for Electricity Competition. And there were other people who were resourced to the committee.

That committee was commissioned to bring forward a preliminary report in early August, and their report is basically due any time—December or February. That report will serve as a very good reference point, and I encourage the Minister of Energy to take full advantage of those independent experts, most of whom, by the way, have just recently participated in the IPPSO conference that was held here in Toronto, a profound panel of speakers and independent experts who, at the end of the day, really recognized this is a very important commodity for our economic future.

In the interest of time, I just want to make one final remark and leave at least 10 minutes. What is demand-side management? I think the key definition I continue to think about is giving consumers the meters that allow them to say what their high-energy-consuming appliances are, like compressors, air conditioners, refrigerators and things like that, and actually turns them off. In a very sophisticated way, it can be linked to the Internet, and when it sees prices go over a certain point—you can set that price at four cents or five cents—it shuts off the hot water heater or the freezer and you can time how long they're shut off. It gives the consumer some tool to shift load. That would be the absolutely necessary complement to de-capping the price.

The other forms—the investments going forward in energy generation, distribution and transmission are there, and more money is needed in the system. As Mr Hampton absolutely pointed out in his response to the introduction of Bill 4, the 4.3 cents to 4.7 cents or 5.7 cents per kilowatt hour is only part of the equation; in fact, it's really the smallest part of the bill. It's going to affect the total bill.

I want to leave my remarks by saying I'm most concerned about small business, specifically agriculture and specifically supply managed, like eggs, chickens and those kinds of livestock operations that need controlled heat and cooling. This is going to be a huge burden for those industries, not to mention the large consumers, the resource sector I mention earlier.

Thank you very much for the time to speak on this very important public policy issue. As Mr Jackson said, I probably, with some reluctance, will not be supporting this bill.

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** I'm very pleased to join the debate on the Ontario Energy Board Amendment Act, 2003. I want to thank my colleague, the critic and member for Burlington, for his comments. I think he certainly set the stage and explained our position extremely well. I also want to thank the member from Durham for his comments. He has been

very keenly involved in this issue and certainly has demonstrated his concern for consumers and small and large business over these many years.

I join the debate because I think the public of Ontario was quite shocked this week. They were quite surprised that the Liberal government under Dalton McGuinty had broken yet another promise. In fact, not only had the government broken a promise, it had broken a promise that is going to have a huge, huge impact on consumers and businesses throughout Ontario. I've heard my colleagues talk about the need for consultation to take a look at what impact this is going to have on consumers and on business, and I would certainly agree.

If we take a look at the introduction of the bill and what the bill says, we know we're all going to get a whopping rate hike. We know it's going to cost Ontarians hundreds of dollars, in fact hundreds of millions of dollars a year. Really, what we have here is a government that has indicated that households in this province will be paying anywhere from \$5 to \$15 more for electricity, starting next April. They broke the promise to keep in place the cap we had put there. Instead, next April it's going to go up from 4.3 cents to 4.7 cents for the first 750 kilowatt hours of electricity that are used each month by the householder. If they use beyond that, and the majority do, people are going to be charged 5.5 cents a kilowatt hour.

Now, that's not where the rate increases are going to stop. They're going to go further than that, because the Minister of Energy also indicated this week that the local hydro companies that had their rates frozen by our government are now going to be able to recover their costs as well. They're going to be permitted to earn profits.

At this point in time, I don't think anybody knows exactly what the impact on consumers and on the business community is going to be next April. At the present time, the only thing for certain is that everyone in this province who uses electricity will definitely be paying more. An example was given of a small pizzeria. What does this mean for a business like that? Well, it says here that a typical pizzeria is going to see its power bill jump \$250 per month. That's a lot for a small operation like that. It's certainly going to impact whether or not that individual is going to be able to hire staff, and will probably increase the price of the product that individual produces, which means that people are going to have to pay more for the product as well. So there's quite a cycle involved.

I want to take a look at what people in this province are saying, people who responded to the Toronto Star Web site. The Toronto Star Web site indicates: "Ontario's new Liberal government has broken a key campaign promise, and introduced legislation to raise retail electricity rates." Then it asks, "Is that a fair move? Has the government has gone too far—or not far enough?"

Now, we in this House can certainly talk about this bill, and we can give our own verdict. But I think it's important, because the public has not had an opportunity



for consultation on this bill. In fact, they were shocked to see the introduction of the bill by the Minister of Energy, after the government—Dalton McGuinty, and all the members—had campaigned so strenuously throughout the election time and said, “No, we will not raise the cap,” and then one of the first pieces of legislation was to do exactly that.

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This is what the public is saying. I think this is important and I hope the government members who are here today will take into serious consideration how this is being perceived by the public. As I say, this is as it's reported on the Toronto Star Web site.

We hear from Artur Halota of Mississauga on November 26, and this is what he says: “This new government broke a promise, and now I have doubts that it can be trusted.”

We take a look at Andy Patel from Brampton, also on November 26. He's very concerned and he says, “I feel that a recall should be available like the California recall for the voters that feel that they erred in their decision to elect the Liberals who made promises they could not keep.”

Another quote, also the same day, November 26, from a Steve Turpin in Toronto: “The Mike Harris government inherited the largest deficit in Ontario history from the Liberals and then the NDP in 1995, but they kept all of their election promises.”

Of course, this speaks to the fact that this government has now broken so many of its promises, for example, the balanced budget pledge that they made, the pledge to not build houses on the moraine, the pledge to cancel the P3 hospitals, the pledge to have an inquiry into the meat issue. The list goes on and on, and I know it will grow in the weeks and the months ahead.

Let's take a look at a person from Cambridge, Andrew Buchan, also November 26. He says, “The Liberals need to be held accountable for”—and then he uses the L word—“to the Ontario public.”

We hear from Sohaib Gill of Toronto on November 25. He says, “The attitude of this government is typical of the disappointing governments in the developing world—promise anything to win the elections and, once elected, blame everything on the previous government.”

Then I go to November 25, Toronto, Gabor Takacs: “Higher hydro prices will lead to less consumer spending, less business activity, fewer jobs and decreased tax revenue. Subsidizing hydro would be cheaper. On a different note, I am anxiously awaiting for the first Liberal promise to be kept.”

Then we go to Scarborough, November 25, Brian Mahoney: “Raising the price of electricity isn't the point, not at all. It's the fact that Dalton McGuinty”—the L-word—“and apparently will continue to”—L-word—“as time passes. For the first time, I voted Liberal. For the last time, I voted Liberal.”

Irene Chan, Toronto, November 25: “Guess we should just take each one of the promises and place bets on how they will be broken. How many voters were duped?”

Tim Marshall, Toronto, November 25: “In the first weeks of its new electoral mandate, the new Liberal government has made a key tactical error in judging the acceptance of the voting public with respect to the raising of retail electricity rates. Their attack on seniors, persons on fixed income and all consumers with an increase to the cost of one of life's necessities forces me to never vote for the Liberals again.”

Also November 25, King City, James Middleton: “Mr McGuinty has once again broken his word on an election promise. His position on the moraine, P3s, fixed hydro rates—and blaming it all on the \$5.6-billion deficit—once again gives credence to the fact that you can't believe anything a politician tells you before an election.”

I'll end with one more quote from a person in Toronto. It's important, because the Liberal government certainly did extremely well with the voters in Toronto, but I think you can see the cynicism already, and you see already that people are saying that they're not going to vote Liberal again. Anyway, this is Pandiyan Rudhramoorthy: “Voted for them, but never again. The easiest way to hide their inability is to blame everything on others. I do not believe that a politician of McGuinty's calibre did not know of the deficit. He is not up to the job.”

Ladies and gentlemen, I think it indicates that certainly the members on the opposite side need to be aware of the unhappiness of the voters. I will not be able to support this bill.

**The Acting Speaker:** Questions or comments?

**Mr Bisson:** Ah, the little light just came on. Thank you very much up there in heaven. They're the ones who turn on the lights on our desks.

I want to take this opportunity to respond to three Tory speakers who raised issues. I just want to go back to this particular one, and that is a little article from the—oh, God, I wish I had my glasses—I think it's the Expositor in Brantford. The headline says, “Levac Supports Liberal Move.” I don't have my glasses, so I'm just doing it as close as I can.

It's quite interesting, because it says, “Levac Supports Liberal Move.” That's on the removal of the hydro rate cap. We remember that the Liberals had voted in favour of the imposition of the rate cap initially. So this is quite interesting.

**Hon Mr Bradley:** He was listening to Michael Prue.

**Mr Bisson:** No, listen to this, Jim. It's quite good.

It says, “When Eves was fixing to impose the cap in August and September 2002, Levac quietly voiced his misgivings in local media and political circles about the decision by the Liberals” at the time “—then in opposition—to go along with it out of fear for possible repercussions from the voters.”

I just think that's so interesting. You've got Dave Levac, then Liberal opposition person, who said, “I don't agree with the position the Liberals are taking,” but because he had been whipped in line and did what he was told by his leader and his whip, and more importantly, did it because he understood that people wanted to be protected from high energy costs, he basically voted in favour of it. I think that's kind of interesting.

But here's the one I really thought was good, where he's trying to shift blame, and this is really a good one. It goes on to say, "He recalled Tuesday he e-mailed MPP David Ramsay—at that time the opposition Liberal caucus leader"—hmm, I thought that was kind of interesting—"to inform him officially he would not support the cap."

"Considering his delicate position as the party's public security critic, Levac took the diplomatic option of leaving the Legislature before the vote."

I think it interesting. I just want to point out that it's Mr Dalton McGuinty who was the leader of the Liberal Party at the time, not Mr Ramsay.

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** I rise to respond to some of the comments in respect to our legislation. The former government had many months from the time the cap was imposed to make some proposals in regard to how they were going to manage the system, and frankly I didn't hear of any of those.

In the current economic climate we find ourselves in, it's unsustainable to have \$800 million per year added to the provincial debt. Even in the two years remaining between now and 2006, considering that the cap won't come off until the first quarter of 2004, we'll be looking at about \$1.6 billion of additional debt to the taxpayers of the province of Ontario.

There's been no new generation in some 13 years, and that's through two parties who were previous governments, and none in the past eight years. It was the past government that first opened up the market and then overreacted to spikes that were happening.

I could spend some considerable time talking about how we managed to get ourselves here at this point in time. I could certainly speak extensively to the matter of Pickering. I could speak to the decisions to ignore the constituents of that municipality in seeking an environmental assessment in 1997, which probably would have had those reactors back on-line within a couple of years. Instead, the government chose to bring in the million-dollar club from south of the border, and we still wait, although one reactor, reactor four, has come back on. It's been faltering in its start. It's on; it's off again. Quite frankly, the staff there laid down their tools until we gave them direction on how to proceed for the balance of the reactors. That's not a sustainable situation for us whatsoever.

I found it extremely interesting yesterday in our debate that the member for Nepean-Carleton commented on the fact that Pickering was on the block for sale. I didn't realize that Pickering was up for sale as part of the asset grab this year to help fund some of that \$2.2 billion. I find that a telling story.

1730

**Mr Dunlop:** It's a pleasure to rise and compliment my colleagues Mr Jackson from Burlington and Ms Witmer from Kitchener-Waterloo and of course Mr O'Toole from Durham for their remarks. Certainly they are people who have been very strong members, a strong part of our Progressive Conservative Party, and who believe in the

principles that we set forth when we put the capping in place in 2002.

The plan for the capping, of course, was to go through 2006, a four-year plan. As we said then, it would be revenue-neutral. That was the plan of the government at that time—not revenue-neutral immediately, in this particular year. Of course, I think all of you members who have returned in what is now the government caucus certainly realized there would be problems and there would be a deficit built up over the first couple of years, and over the period of the capping it would remain revenue-neutral. At the same time, it would allow the industries in the province of Ontario to keep the strong economic growth. As you know, we're into our ninth year of economic growth in Ontario. Over a million new jobs have been created in the last eight years and Ontario remains strong.

We felt that the capping was indeed the right thing to do. We're disappointed in the opposition's breaking of a promise, going ahead and lifting the cap. We do think it will have a negative impact on economic growth in Ontario. As I've said the last couple of days, people I've talked to have said it could affect the jobs of up to around 200,000 people.

Thank you for this opportunity, and I look forward to further debate on this.

**The Acting Speaker:** The member for Toronto-Danforth.

**Ms Churley:** Thank you for remembering the name of my riding, Mr Speaker, and you're not even the real Speaker. That's very good. I'm very impressed.

We're still talking about hydro, aren't we? Are we? Because you were talking about the economy and broken promises and things like that, I think. I said earlier, in response to a Liberal who spoke very well, the member for Etobicoke Centre, that the Liberals now have a new slogan for ironclad broken promises, and I think we're going to hear it a lot; that is, "taking responsible action." I believe we're going to hear that a lot now.

When it comes to hydro—

**Hon Mr Bradley:** We're listening to Michael Prue.

**Ms Churley:** Well, you know what? The New Democrats voted against the rate increase because we knew that with the deregulation and the privatization of the system, that was the big problem, and that simply trying to put a Band-Aid on the problem, simply trying to put a Band-Aid on a deregulation and privatization system, wasn't going to solve the problem, and it's not going to solve it now. As I said the other day, privatization and deregulation lives under Dalton McGuinty and the new Liberal government. That is unsustainable, and the reality is that we have to get back to a fully public system.

We also have to be concerned about believing that decreasing rates is going to solve the problem and that people are going to automatically conserve. There's all kinds of evidence that without not just incentives and tips—and I was astounded to hear the minister in his announcement, when he was talking about conservation,



mention that there are all kinds of tips out there for people to help them conserve. We need real investment in real conservation and efficiency programs for people to fully take advantage of them.

**The Acting Speaker:** Response?

**Mr Jackson:** I want to thank all members who participated in this debate and in this discussion.

Just to recap some of the concerns, we from the official opposition are extremely concerned at the manner in which the government has broken its promise, the manner in which this government suggested one thing—right up to and including October 2, Dalton McGuinty looked right into the TV cameras, right into the homes of every Ontarian who pays hydro and said, “I will protect your cap, and I’ll keep it there till 2006.” Not one of those people believe for a moment that he actually meant that now. They realize you don’t make this significant a decision less than 24 hours after receiving from your private paid consultant, Erik Peters, his opinion.

The truth of the matter is that the Minister of Energy hardly mentioned consumer protection at all. What he did mention of significance was—and he was very clear—that beginning March 1, 2004, local distribution companies would be allowed to recoup some of the cost that the previous government had put on hold. This would ease a tremendous financial burden that these local companies, the vast majority of which are owned by municipalities across Ontario, have had to face. This burden is \$800 million, which is now going to be borne by working families.

I want to remind you what Dwight Duncan, their critic, said. He said that a government that had “abandoned working families and seniors on fixed incomes in favour of corporate profits” was wrong. That’s exactly what he stood in his place and did this week. It was good enough for them in opposition to take that position, but it’s not good enough for them as the government of this province to keep their word, to keep the promise they made to consumers in this province. They’ve broken faith with the voters of Ontario on something as fundamental as their hydro costs.

**The Acting Speaker:** Further debate.

**Ms Kathleen O. Wynne (Don Valley West):** I want to speak today because I think we need to add as many voices as possible to this debate. This is obviously a very important issue and there’s a cloud of rhetoric surrounding it, so I think we need as many voices as possible to try to clarify what’s actually happening here and what’s surrounding the amendments to the Ontario Energy Board Act.

We need to be clear. The previous government had eight years to work on supply, pricing and conservation. That didn’t happen, and we find ourselves in the mess that we’re in today. It’s difficult for some people watching and listening to us to sort out the reality from the rhetoric. At the same time, I believe that the majority of people are not basically fooled by what they’re hearing. They understand the realities.

So far, I have received no communications from my constituents in Don Valley West criticizing us for remov-

ing this price cap on electricity. No one has contacted me to say anything but, “This was a good idea. You’re moving in the right direction. It had to happen.” So I’m encouraged by that. People will have questions, but I’m encouraged by the fact that they understand what we’re doing.

I want to talk about what this legislation is really about. It’s about taking a principled approach to pricing, it’s about fiscal responsibility, it’s about conservation and what’s better for our environment, and it’s about predictability and price setting that is free from political interference.

So let’s talk about responsible government: responsible pace of change and policy based on principles, not panic. The current reality is that we have a staggering, Tory-generated \$5.6-billion deficit, and this deficit will balloon out of control if we sit back and do nothing about it. That’s the reality. That’s what the arm’s-length, third-party auditor said. That’s what we’re dealing with.

The energy price cap costs \$2 million a day and has added over \$800 million to the debt. That is not sustainable. We’ve got to do something about that. That’s at the core of this problem, and people understand that.

People understand that this cap, if it were maintained, will have to be paid for by taxpayers in the long run. The imposition of this cap was a panic response by the previous government, who never thought about the long-range impact of any of its actions. Look at any sector in this province and you’ll see the damage done by no planning or bad planning. Of course I know the education sector the best, and it is quite clear the damage that has been done there by a funding formula that didn’t take into account the real cost of education, but we can look across the province and see the damage that has been done over the last eight years, sector by sector.

1740

In the most basic way this is about principles versus panic. The previous government panicked and imposed a price cap because their policy direction was adrift. We’re acting now to solve this problem for the long term, for the good of Ontarians, for the good of the environment and for the good of our children.

The member for Burlington suggests that the cap was a strategy to encourage production and to encourage conservation, but there is nothing in the previous government’s record to suggest that they were interested in either of those things, so it’s hard to take that at face value. The truth about the price cap is that it’s a Band-Aid that only should have been a temporary measure. In the long term, it’s not the government’s role to subsidize the cost of electricity. The only thing that has changed now is that the egregious Tory deficit has in fact accelerated our time frame. We knew that this cap wasn’t sustainable, we knew that it was going to have to come off, but the size of the deficit—

**Mr Jackson:** That’s not what your leader said.

**Ms Wynne:** We said that; we said it wasn’t sustainable. The size of the deficit has accelerated our time frame. So we’re acting in a prudent and responsible

manner, and that's what Ontarians expect of us. The Premier has talked about the deficit as a factor that in some ways will cause a slower pace of change. In this case, the deficit will cause us to move faster on our agenda, but it is still our agenda. The fiscal reality will shorten that time frame in which we'll bring responsible change. Our government has responded to the reality of the Tory deficit instead of ignoring it, as the previous government did.

Here's what works about our solution.

Our plan is fiscally responsible. It will immediately save \$2 million a day.

It promotes conservation by making the price of electricity more reflective of reality and by introducing graduated pricing, in which people pay more for high usage.

It makes energy pricing non-political, putting the arm's-length OEB in charge of energy pricing for Ontario. It establishes the Ontario Energy Board as the independent regulator for electricity pricing in Ontario. It directs the Ontario Energy Board to develop a clear, transparent, independent mechanism for setting electricity prices, to be implemented as soon as possible and not later than May 1, 2005. As the price regulator, the Ontario Energy Board would also protect and renew Ontario's electricity grid by ensuring reasonable charges for the delivery of electricity.

The plan implements an interim pricing structure that better reflects the true price of electricity. That can't be a bad thing, that people actually understand what the real price of electricity is. That has got to be a good thing, and I think we can all agree on that. Under the interim plan, the first 750 kilowatt hours consumed in any month by an individual would be priced at 4.7 cents per kilowatt hour. Consumption above that level would be priced at a higher rate of 5.5 cents per kilowatt hour. That makes sense because average households consume less than 1,000 kilowatt hours in a month. So our pricing structure reflects the reality and is much truer to what the real cost of electricity is. If the revenue from the interim price plan exceeds the cost of the plan, all eligible consumers would receive a credit for the difference after the OEB implements its pricing mechanism.

This plan will produce an environment in which local distribution companies will be able to create additional capacity in the distribution system. We're not just talking about an academic exercise here; we're actually talking about generating more supply and encouraging local distribution companies. So beginning March 1, 2004, local distribution companies would be allowed to recoup some of the costs the previous government had put on hold, which has put a tremendous financial burden on the local distribution companies.

This approach that we've taken is a responsible, principled one. Our plan replaces the Tory panic response with a principled and responsible approach to electricity pricing. The price of electricity will better reflect the true cost of electricity. How does it possibly serve us as a society to pretend that electricity is cheaper than it is? Of course, it doesn't serve us at all.

For decades, as long as I can remember, conservation has been talked about, it has been held up as a good thing for society, it has been held up as a goal toward which we should strive, and yet all we've done is increase consumption. It's time to face the reality that electricity is not an infinite resource, and in the long run Ontario will be better off if we learn that lesson and help our children to live differently than we have.

The price will be regulated in order to avoid the chaos and price fights that residential and low-volume consumers saw in 2002. We recognize that consumers need that protection. The price will be stable and predictable so families, small businesses and other low-volume consumers can better manage their energy costs. People can deal with known entities. Surprises are anathema.

The price will be regulated by an independent body and not manipulated by politicians. Finally, the price will be regulated on the basis of what's in the public interest and not on political interests. The electricity supply should not be a political tool or a political weapon.

Responsibility is at the core of this plan. More than anything else, this legislation is about behaving responsibly in the face of a ridiculous situation, one that we did not create but one that we will address.

One of my constituents from Don Valley West, Steve Dunn, sent me an e-mail, and what he said was, "I would like to commend you for your sensible decision that the 4.3 cent hydro rate is unsustainable." He goes on to say, "The implementation of this rate by the previous government was unfortunate, and it sent the wrong message to consumers—waste all the electricity you want and your fellow taxpayers will pick up the tab for you." Steve Dunn does understand what we're doing. He and others will have questions along the way—of course there will be questions as we implement this legislation—but he understands the fundamental soundness of our decision.

First, in difficult financial times we can't afford this rate freeze. It's unsustainable. Second, it isn't the government's business to subsidize consumption. The numbers are astounding, so I'm going to recap them once more. We're talking about a \$5.6-billion deficit. That's a far cry from the balanced-budget fantasy perpetuated by the former Premier during the campaign. The previous government was spending \$2 million a day. We can't go on doing that.

Clearly, what they were doing was buying time until their inevitable election loss. When Ontarians relieved the Tories of the burden of government that was obviously beyond them, Ontarians were mercifully relieved of their eight-year-long nightmare of having a government that pretended to address their problems while offering cynical Band-Aid approaches that solved nothing and created the financial mess we now find ourselves in. What we're doing is responsible, sustainable, and it gets to the root of the problem.

Here's what some other groups are saying about removing the price cap. These groups, many of them, signed on to a letter. It's a short letter. I'm just going to read what they said:



"Dear Mr Premier:

"We would like to offer our congratulations on your decision to remove the electricity rate cap for residential and small business consumers.

"The elimination of this artificially low electricity price will facilitate investments in cleaner and renewable, non-nuclear electricity generators. This in turn will help to replace the generation capacity needed for your coal phase-out and result in the reduction of significant amounts of air pollution."

"It is also an essential prerequisite for Ontario to attain and even exceed your 5% renewable electricity generation target by 2007 and your 10% target for 2010.

"We fully support your proposal that the price cap removal be implemented in such a way as to minimize the impact on lower-income Ontarians and we look forward to the significant clean air benefits that will result from this and related electricity sector initiatives."

That's the Ontario Medical Association, Sierra Club of Canada, Ontario Public Health Association, the Clean Air Partnership, the Toronto Environmental Alliance, the Ontario Clean Air Alliance, Greenpeace Canada, Muskoka Lakes Association, and the Georgian Bay Association.

It seems to me that in terms of a healthier society we are not on the wrong track if these are the folks who are backing us and who are supporting our actions.

In terms of conservation, I think it's really important that we be honest about the initiatives we must step up to. I'm 50 years old and I can't remember a time that people haven't talked about the importance of conservation.

There have been exceptions. The Minister of Energy in the previous government, for example, once said that conservation programs "may have made the odd person feel good, but they had absolutely no effect." We beg to differ. We take a completely different view.

1750

I believe, along with my colleague from Etobicoke Centre, that in fact we all know that we must do more to conserve. We must use the best knowledge and experience from all quarters to find the initiatives, build on what previous governments before the last one did to conserve energy, and we need to build on those initiatives and find new ones.

I'm proud that this legislation contains two major provisions that will encourage energy conservation, and in turn more sustainable living for Ontarians. First, it brings the price of electricity much closer to actual cost. Second, it charges higher rates for consumption above 750 kilowatt hours a month. Both of these pieces will encourage conservation, along with an education campaign that has to be put in place to help our youngsters understand what they need to do and help them to educate us.

The reality is that many of our young people know more about what needs to be done in terms of conserving energy than we do. I have a daughter who is in university—second year, environmental studies—and she keeps me on the straight and narrow. She can tell us what

we should be doing. We need to tap into the knowledge of the young people who are in university and help the younger people to change our habits, because old dogs learn new tricks with difficulty, right?

**Mr Lorenzo Berardinetti (Scarborough Southwest):** You can't teach an old dog new tricks.

**Ms Wynne:** Well, we have to learn. Old dogs have to learn these new tricks.

People are sensitive to price, we know that consumers are sensitive to price, and ceasing to subsidize the price of electricity ends an artificial incentive to overconsumption. Moreover, adopting a progressive pricing scheme creates a further incentive for Ontarians to reduce their consumption. That's why these measures will increase our conservation.

Our own actions within the government will reflect this philosophy. Our government knows that conservation is everyone's business. That's why, as noted by our Minister of Energy, "The government will be taking action to improve its own conservation performance." "In the coming weeks, the Chair of Management Board will be announcing a new plan to make a noticeable reduction in the government's overall energy consumption." We will hold out a real plan for reducing energy within the government.

But as I said before, we can't be successful in this in the long term unless we deal with kids, unless we deal with what's going on in the schools, unless we deal with the youngsters who are growing up and going to be having families. We have to change their habits.

That's why we're going to support and work with the Ministry of Education, to expand our efforts to educate consumers while they're young and to inform the curricula that kids are studying right now in our schools. I know, having worked as a trustee, that there are educators within every board in this province who are eager to start working on these initiatives. They need the support of a provincial government that is prepared to mirror that philosophy and work with them. Without that support, they're on their own and they're operating in a vacuum. So we have to build a context around those teachers so that they can do the work they've been wanting to do for years and have had no support for.

I want to encourage my colleagues—I'm going to share my time with the member for Stoney Creek; she's going to speak to you the last couple of minutes—to go back to their constituencies and talk about conservation ideas, but also to hear from their constituents, have that discussion about what the removal of this price cap actually means. I have a lot of faith that Ontarians understand this across the province, that they will support this initiative because they understand how sound it is and they understand what's happening here. They're paying close attention, and I'd like to say to the folks who are paying attention, who are listening, that we need not be misled by the opposition's attempt to distract attention from the very real failings of their government's—

**The Acting Speaker:** Please sit down.

**Mr Jackson:** On a point of order, Mr Speaker: Did you not hear the word?

**The Acting Speaker:** Are you asking the Chair—

**Mr Jackson:** No, it's the Speaker's job to correct the member who uses the word "misleading."

**The Acting Speaker:** Thank you very much. I would ask the member to withdraw the word "misleading."

**Ms Wynne:** I withdraw the word. I apologize.

I would encourage people who are paying attention not to be misled, that they—

**Mr Jackson:** On a point of order, Mr Speaker: This is contempt of court. That's what it is.

**Ms Wynne:** Oh, it's the "misled"; it's not "failings." OK, I withdraw it again. I apologize.

**The Acting Speaker:** The member has withdrawn.

**Ms Wynne:** I apologize. I thought it was "failings."

**The Acting Speaker:** The member has withdrawn.

**Ms Wynne:** We need to be clear that there are those who want Ontarians to believe that this mess was not created by the former government. In fact, the reality is that the financial mess we find ourselves in has not been created by this government. We're having to clean it up. I don't believe that Ontarians are gullible enough to believe that we've created this mess. I think they understand that we're having to do the cleanup. They will respond to our decent, sensible and honest plan. That's what we promised. We promised decent, responsible government. That's what we're delivering. I look forward to working with my colleagues to implement it.

**Ms Jennifer F. Mossop (Stoney Creek):** I have 44 seconds, but I'm just going to quickly mention that I find it ironic that we're in a reverse role—and perhaps I can continue this story, because it's a fairly long one, at another time. The need for conservation is great right now, but when hydro first came into being, Sir Adam Beck had to create his hydro circus, which went around the province marketing electrical appliances so that there would be enough use of power so that he could amortize the cost of building generating stations and distribution lines, so that we could actually afford to have this. Now

we're at the absolute opposite. Now we have to conserve. This bill is an excellent, measured and sensible approach to get people to learn the need of conservation.

**Ms Churley:** It's my pleasure to stand up again for a couple of minutes to make comments in response to the remarks made by the esteemed member from Don Valley West, whom I'd like to congratulate. It's wonderful to have her here. She did a great job on the school board. She's articulate and knowledgeable. I'm sure that she is going to add much to the demeanour of this place.

Also, I was amazed at how much you packed into your 44 seconds. I'd like to hear more of what you have to say about Sir Adam Beck.

I do want to say that I went over to chat briefly with my good friend the former Minister of the Environment, now Minister of Tourism: the member for St Catharines. I was chuckling a little bit in talking to him, because he has been around for a number of years now, about how interesting it is watching governments change, and when opposition from all parties end up sitting over there—in this case, there are some over here too—how history gets rewritten so quickly. I find it just fascinating to hear the speeches of the new members, but even more, the older, long-term members from the Liberal Party completely rewriting the history of how we got into this mess. When we hear things like, "The Tories acted out of panic, not out of rational thought," or whatever—Kathleen, you should have heard the panic coming from your Liberal colleagues at the time, day after day after day calling for that rate cap. But I will say that unfortunately, people, you will be hearing from your constituents when the bills start going up. That's why I urge again: Let's get on with real, comprehensive efficiency and conservation programs.

**The Acting Speaker:** It being close to the hour of 6 o'clock, the House stands adjourned until the hour of 6:45.

*The House adjourned at 1759.*

*Evening meeting reported in volume B.*



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**Jeudi 27 novembre 2003**



**Speaker**  
Honourable Alvin Curling

**Président**  
L'honorable Alvin Curling

**Clerk**  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 27 November 2003

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 27 novembre 2003

*The House met at 1845.*

### ORDERS OF THE DAY

#### FISCAL RESPONSIBILITY ACT, 2003

#### LOI DE 2003 SUR LA GESTION RESPONSABLE DES FINANCES

Resuming the debate adjourned on November 26, 2003, on the motion for second reading of Bill 2, An Act respecting fiscal responsibility / Projet de loi 2, Loi concernant la gestion responsable des finances.

**The Acting Speaker (Mr Brad Duguid):** When last we left off on the debate, the member from Parry Sound-Muskoka had the floor, with five minutes left in his speech. Is the member here?

The member from Parry Sound-Muskoka not being present at this time, further debate?

**Mr Kevin Daniel Flynn (Oakville):** It's a pleasure to rise today and join in the debate on this bill. I have to say it's been an interesting experience for me the past few weeks. The past few days in this House have been extremely interesting.

As you know, I come from a background of municipal politics, where they tend to do things a little differently. Regional councils tend to deal with problems in a little different way. What I'm finding is that there seems to be a lot of finger pointing and blaming going on. I know that any time we would deal with an issue like that at regional council or at local council, we tended to forget whose fault it was or we tended to forget whom to blame and we'd get to work on dealing with the problem. The training I've had in my 18 years at regional council in Halton and in the town of Oakville is that you can't run a deficit. It's not an option. That led us to having some of the healthiest budgets and some of the healthiest credit ratings in Ontario. You can't say that about the province, unfortunately, with the mess that it's in today.

When you look at the expenditures of the province, interest on the debt today is the third-highest expense of all the expenses. Health care and education are the only two that precede that. It seems to me we should be taking a different approach to this than I've seen taken to date by the opposition parties, and that is that the election has taken place and the people have spoken. The former auditor has reported back, I think in a very honest and open way, and told us that we do have a deficit. We've

got a projected deficit by the year-end of \$5.6 billion. It's a structural deficit. We could do nothing. We could leave it alone, and it'll climb to \$7.7 billion next year. Leave it alone for another year, and it'll climb to \$8.6 billion.

What I found that people responded to during the election, and what I find they're still responding to today, is the concept that, "I expect you, as my elected official, to treat the province's budget the same way that I treat my family's budget, the same way that I treat my business." If you take that approach toward the province's budget, if we all treat this money as if it's our own, I think we'll start to come up with a little different approach. Our leader, Premier McGuinty, has said that we are a party that wants to live within its means, and I agree with that. It's the way I was raised. You live within your means, you pay your bills on time and you try, as much as you can, to keep out of debt.

That's what, in my opinion, Bill 2 is all about. It's doing what the average hard-working Ontario family would do if somebody messed up their own family finances. They'd react in exactly the same way. I think we'd all take a look at the problem we were in and realize that we have to get ourselves back to a balanced budget. That's our intent. That's what we went out to the electorate with during the election, and I was quite proud to do that.

I'd like to talk a little bit about the private school tax credit. It seems to me that if you take a philosophical approach to that, I could support it. It would make some sense. It seems to me there are a lot of things out there that I could also support. The fact is, the province's finances are in such a state that we simply can't afford it at this time. I can live with that.

**1850**

I also think that we have to understand that it's time to move forward and that corporate tax cuts, as healthy as they may be at certain times, work. Tax cuts in general work, up to a point. Where the argument may come in between the three parties is at what point do they stop working and become counterproductive. In my opinion, we have reached the point where tax cuts are being counterproductive to the lifestyle of this province. We are in a competitive position currently, and I see no reason for us to make any further cuts.

I was also quite pleased when I was out campaigning during the election to talk with seniors. I have a lot of seniors in my riding in the town of Oakville. We talked about the seniors' property tax credit. When I was knocking on doors, at first I thought that there would be a lot of support for that property tax rebate and we'd get



into an awful lot of arguments about it at the front doors, but I found that that didn't take place. People understood that where they wanted the money placed was in proper public education for their children, for their grandchildren, and they wanted it placed into health care. Instead, I came to this place hoping that we'd be able to talk about improvements to our health care system, which we're doing, and hoping that we'd be able to talk about improvements to our educational system, which I hope to be doing soon. What I didn't plan on getting into was a blame game over the size of the deficit.

I thought our Premier made the right move, I thought he made an intelligent move, when he asked for an independent audit. So it wasn't just employees of the party who were looking at the size of the deficit; it was somebody who, I think, is very well respected around this place. He came back and he gave us the figure of \$5.6 billion. It seems to me that now we're starting to go back and somebody was saying, "Somebody knew that it was \$5 billion. I thought it was going to be \$3 billion. I thought it was going to be \$4 billion." The only information that I had going into the election was that at some point in the spring when the budget was introduced at the Magna plant, outside independent financial agencies suspected that the province was going to run about a \$2-billion deficit. That was the last information that I was able to avail myself of. I understand our plan and our platform was based upon that, and I was quite prepared to live with that. I think we had a plan to deal with that.

I believe that by taking the responsible approach that is contained in this bill to bring the deficit under control, the election promises that seem to be generating an awful lot of publicity in the media today will be lived up to. We could continue to spend, as I said earlier. We could run high deficits next year and the year after, but I think the approach we're taking, the approach that's being proposed in this bill, is a responsible approach. As I said earlier, it's an approach that I think I'd take in my own business if I found myself in this situation; it's an approach I'd take in my own family.

I will be supporting the bill, obviously. There are a number of reasons why I think we should move quickly on this bill, and that's why I'm glad it's been introduced. I'm glad that we came back. I'm glad the House began to sit before the end of the year—that may have surprised some people.

Bill 2 is a key element in our plan to manage the province's finances in a fiscally responsible manner, for a change. What we intend to do specifically is increase the general corporate income tax rate to 14% and the manufacturing and processing tax rate to 12%. We plan to maintain the small business tax rate at 5.5% for 2004 and subsequent years. We're also going to increase the small business threshold to \$400,000, effective January 1, 2004.

What we will cancel effective January 1, 2004, is further increases in the threshold for the first tier of the surtax to the level for the second tier, which would have been effective January 1, 2004. We will cancel the first

and second personal income tax rate reductions, maintaining the lower rate of 6.05% and the middle rate at 9.15%.

Clearly we must do something. We need to do it quickly. The fiscal situation we've inherited is a mess. We have to clean up that mess. The people of this province, in my opinion, expect us to, and I think we're up to the job. We have to get our fiscal house in order so that we can start to deliver on some of the positive changes that I think people were so excited about on October 2. We know we want smaller class sizes in this province; we know we want shorter waiting times for health care. I know definitely in the town of Oakville, the environment is a huge issue that people expect us to deal with in a positive way.

Our tax rates have to remain competitive, and I don't think anybody is suggesting that they do otherwise, at least not in this party. We didn't create the mess; the Conservative government did. We will clean up the mess.

Our commitment still is to make public education a priority, and cancelling the tax credit is a major step in our plan to tackle that \$5.6-billion deficit, again, that we inherited. We still want to promote excellence in learning for all Ontario schools and cancel the tax break for exclusive private schools.

As the election was held in September of this year, I was able to talk to a lot of people in Oakville, a lot of electors in Oakville who have children who attend private schools. There are quite a lot of private schools in my riding. There again, the same way I felt when I was talking to the seniors, when I was telling them straight up at the doors, giving them the straight goods, that I would not be supporting a property tax credit—the same response from many private school parents, saying, "I understand. I'd like the tax credit if you could give it to me, but I understand there's bigger and higher priorities in this province today, and that's what I want you to pay attention to."

We've been clear for many months that cancelling this tax credit would be a priority. This isn't something we're surprising people with. I am getting some letters on the issue. I'm responding to those letters in the same way that we addressed during the campaign; that is, honest and upfront, telling them we were quite clear in our election platform that we would not extend the private school tax credit. At all-candidates meetings when this issue was raised, I would say it was almost unanimous—as government, our job is to invest in quality public education. That's where they want the money spent. You have to think that even though these parents have paid their fees, they would still not have received the tax credit for this year.

Given the size of the deficit that we've inherited from the previous government, it's imperative that we move sooner rather than later on this ill-advised tax credit, and that's why we're sitting. That's why, I believe, the House was brought back so quickly.

The savings that we generate will help us to fulfill our commitments to the people of Ontario. Public education

is clearly a priority for this government. As Minister Sorbara has told the House already, "We have a plan to make public education the best education."

Going back to the seniors: By doing this now, by making this change now and cancelling the seniors' property tax credit, we will save \$340 million this fiscal year and \$450 million next fiscal year. That goes a long way to eliminating that \$5.6-billion deficit. Low- and modest-income seniors will continue to be eligible to receive up to a maximum of \$1,000 in credits annually per household under the existing Ontario property and sales tax credits in the Income Tax Act.

To quote our leader, Premier McGuinty, "We need to eliminate the balance of the Tory deficit and implement our plan for real, positive change. This is not an either/or proposition. Ontarians want and deserve better schools. We plan to deliver them. They want and deserve better health care. We plan to deliver that as well. They want a balanced budget."

1900

What we are doing today, I believe, as we debate this bill, is working together to get this job done. This budget needs to be balanced. We had no idea we'd be facing this type of deficit. I still think we're doing the right thing in the approach that the Premier is suggesting.

The Premier also said that the Eves PCs are misleading seniors with a bogus promise of a tax break they will never deliver on. I respect seniors and will improve the services they depend on.

I'd like to talk briefly on the tobacco tax. We all know how important a tool the cost of a product can be, and I really believe that this increase in the tobacco tax will have the intended effect of discouraging harmful tobacco consumption, especially among our youth, who are sensitive to those price increases.

Bill 2 proposes to increase the tobacco tax by \$2.50 per carton of 200 cigarettes. When you think of it, tobacco use is the leading cause of preventable death, premature death, disease and disability in Ontario. It is the leading cause of preventable illness and premature death in this province—it kills 16,000 people a year, according to Cancer Care Ontario. That's four times more than deaths from car accidents, suicide, homicide and AIDS combined. Treating diseases caused by tobacco costs the Ministry of Health and Long-Term Care, and taxpayers, more than \$1 billion a year.

Our campaign platform paper was very clear, where we stated there's nothing that better prevents people from smoking than increasing the cost of cigarettes. Ontario cigarettes are still cheaper than almost every other province's. We will make cigarettes more expensive to prevent kids from lighting up.

We're just moving, or we're committed to move, to the national average on tobacco tax. This is just the first step in our plan to do that. With this increase, we are moving away from having the lowest cigarette prices in the country. We are bringing prices closer in line with other provinces, and again, with bordering American jurisdictions, but we're doing so in a manner that care-

fully weighs the benefits of using tobacco taxes as a tool to reduce smoking against the risk of tobacco smuggling.

Mr Peters, the former Provincial Auditor, identified in his independent report that Ontario faces a \$5.6-billion deficit, and up to another \$1 billion in risks. I believe that in addressing this, what we're able to do is perform what I think is an admirable move toward a much healthier Ontario, and at the same time we're able to move against that deficit that we know needs to be brought down. It's important, therefore, that we move ahead with the measures contained in this bill to get the province's financial house in order so that we can start to deliver on that positive change the people were so excited about during the election.

Energy conservation and environmental protection are priority areas for this government. Bill 2 also proposes to extend to March 31, 2004, the rebate of the retail sales tax for the purchase of Energy Star-rated refrigerators, dishwashers, clothes washers and freezers. A temporary measure such as this draws attention to the need for consumers to consider conservation in their purchases. Response to the program has been strong so far: more than 180,000 claims since it was introduced. The measures contained in this bill represent the first steps in our plan to restore the province's finances.

Premier McGuinty has also said that in addition to these measures, we will collect from corporations that have not been paying their taxes, again in keeping with the recommendations of the Provincial Auditor; introduce immediate restraints on discretionary spending; put in place a government-wide hiring freeze; eliminate the waste of millions of dollars of taxpayers' money on self-promotional government advertising; and reduce what the auditor has described as often wasteful spending on highly paid consultants. We're simply bringing a responsible approach to government.

In our campaign literature we were very clear: Ontario workers and their families already pay enough. We will hold the line on your taxes. Corporate taxes are already competitive in Ontario. By supporting that bill, we will keep them this way.

**Hon Harinder S. Takhar (Minister of Transportation):** On a point of order, Mr Speaker: I am very pleased to acknowledge the presence of and introduce Mr Gobind Singh Kanjla, a former minister of the Punjab state government in India and current MLA. I want to welcome him to our beautiful city and this great province of Ontario.

I also would like to acknowledge his two associates, Mr Amar Singh Bhullar, who is the managing editor and publisher of Hamdard Weekly, and Mr Mukand Singh Pandher, the president of Pandher Financial Services. These two associates are from the city of Brampton, which is being very capably represented by my colleague Vic Dhillon.

**The Acting Speaker:** Gentlemen, welcome to the Ontario Legislature.

Questions and comments?

**Mr Ted Chudleigh (Halton):** The member from Oakville made his maiden speech tonight. Of course,



during the maiden speech you get a free ride, so, Mr Flynn, you did well tonight. Of course, in the minute and a half or two minutes allotted to me, I can't nearly have the time to correct all the comments that you made, being very careful how we talk about that.

You started off by talking about the provincial finances being in such a state—the bogus deficit, I thought you were referring to—and I will be happy to have more comments on the bogus deficit later tonight. Obviously the Liberal government wants to be able to spend up to the limit of the deficit: \$5.6 billion. It gives them an added \$5.6 billion to play with in the rest of this fiscal year, and that's what the bogus deficit is all about, and we'll hear more about that as time goes on.

I was glad to hear the member talk about tax cuts. He said tax cuts work. That's refreshing from the Liberal benches. I've never heard that from the Liberal benches. Kevin, you may hear about that later tonight. Somebody may just slip over—the two babysitters here may come over—and have a word with you about talking about tax cuts that work. Yes, they do work. They made Ontario into the economic capital of North America, and they will do that again when we resume those benches over there at some point in the future.

You talked about seniors and how respectful you are of seniors and how kind they were to you. I wonder, member from Oakville, whether they will be as kind when they find out that you're going to take \$2.5 billion out of health care, as was reported on Global News this evening. Of that \$2.5 billion, a lot is going to come out of the seniors drug plan. I'm not sure the seniors will be quite as kind to you the next time an election rolls around when you've cut their health care and drug benefits to that degree.

**The Acting Speaker:** Time is up.

**Mr Rosario Marchese (Trinity-Spadina):** To the member from Oakville, congratulations. I have no disagreement, or not much disagreement, with your discussion on the substance of the bill, but I wanted to tackle some of the comments you made in your introduction, where you talked about so much finger pointing and blaming people. I'm assuming by that you mean let's move on and let's stop pointing fingers at one another—something like that, more or less, give or take? I want to say to you that the problem with that is that you and all the other Liberal members made a lot of promises during the election. It's very difficult to forget the finger pointing when we engaged in that during the election. While you want to move on, those of us who remember what you said during the election have a hard time saying, "Yes, that's true. Let's forget about it, and let's just move on." It's hard to do that, you see.

You immediately go to the idea, "Now that we have a deficit, we have to treat the deficit in the same way I would treat my house and my business by way of whatever debts and/or loans or deficits I have." I appreciate that. But, you see, the point we make here is that your colleague there, the now Chair of Management Board, was very insightful prior to and during the

election, when he predicted that this former Tory government had a \$5-billion deficit. So we say to you, "risk," which we say was the deficit that Mr Phillips was talking about—in that context, you knew that there was a deficit that you would have to contend with if you got elected. My point to you is that we can't forget that. You made promises in the context of a deficit, and you led people to believe that you could do it and handle it, balance the budget, increase services and not increase any personal taxes. You were wrong, and we've got to point the finger in that regard. We're not going to let you forget, as much as you want to.

**1910**

**Mr Bob Delaney (Mississauga West):** It's my pleasure to address some comments from my colleague from Oakville, the neighbouring riding to Mississauga West.

This is a government proud to live within its means, a government that rolled up its sleeves and got to work, a government that is working, a government that is working on behalf of all Ontarians. We're going to work at truly balancing Ontario's books, not by selling assets and revenue streams, not by postponing the day of financial reckoning until another fiscal year when the problem has only gotten worse. Ours is a government that looks at its programs, its services and its labour force as an investment in Ontario's quality of life, and at the men and women who deliver those programs and services as assets to our province. We will not adopt the reflexive, slash-and-burn tactics of the former government.

We've moved forward to cancel the tax cuts that would see our province's deficit continue to spiral out of control and see Ontario's working families continue to suffer.

This government takes a planned, careful and deliberate approach to Ontario's finances. We will bring Ontario a budget that is sustainably balanced. This takes two qualities the government uniquely demonstrates: sound planning and a clear vision of the future that Ontarians want.

Ontarians voted to change to a government of men and women who understand their needs, to a government that's working for them and to a government that will take the time to implement changes to Ontario's finances in a responsible and a sustainable manner.

**Mr Garfield Dunlop (Simcoe North):** A couple of congratulations: first of all, to the member from Etobicoke Centre, who's sitting in the Speaker's chair tonight. I don't know if this is a regular position—

**Interjection:** Scarborough.

**Mr Dunlop:** I'm sorry—Scarborough Centre. I want to congratulate you. I don't know if that's your regular position, if you'll be doing this on a regular basis or not, but good luck to you.

I also want to congratulate the member from Oakville for your comments. Congratulations to you too for your election to this office. I'm sure, as a newcomer, you're enjoying these first few weeks like I did in 1999. It is an honour to serve your constituents and to be part of the debate in this House.

I'm really pleased to be able to take part in the Liberal tax-hike bill, which of course is what we refer to as the largest tax increase in the history of the province. I was quite concerned about the member from Mississauga West's comments, when he mentioned the slash-and-burn techniques of the previous government. I tell you, I hope what I heard tonight wasn't true. There are a lot of reports floating around from Liberal insiders who are saying today your next target will be seniors and the drug plan. This, I hope, is not true. I hope it's false information.

The story going out there tonight—we'll probably read about it tomorrow and, no question, Mr Smitherman will have to answer for it next Monday in the Legislature—is the fact that you're trying to cut \$2.5 billion out of the drug benefit plans, which of course directly affects most of our seniors. This is the end of your government, as you know, if you do it. There has been a major attack on seniors in the last week, with the introduction of this act etc, but we'll get lots of time to comment later on the balance of it.

**The Acting Speaker:** Response?

**Mr Flynn:** I would just like to thank everybody for the kind comments I just received. I'm sure it will probably be the end of it, but thank you. I certainly do take them as sincere. I do come from a different environment; I'll freely admit that. The council environment is, from what I've seen, a little more civil. I think outside of this House people tend to be a lot more friendly to each other, but apparently I'm going to get used to this, and six months from now I'll be hurling insults across the floor as well, apparently. That's what people lead me to believe.

I do appreciate the comments on the bill. It's a difficult bill; we understand that. It's a bill that I think bringing forward at this time takes a lot of courage. We're putting it to the people of Ontario; we're giving them the straight goods. That's what we promised we would do during the election, and we're fulfilling that promise by the introduction of this bill. So once again, I'd like to thank the members for their comments. I did listen to them. I'd like to thank the member from Mississauga West for his supportive comments, and thank you, Mr Speaker.

**The Acting Speaker:** Further debate?

**Mrs Julia Munro (York North):** Thank you for giving me the opportunity to speak tonight to this bill, the Fiscal Responsibility Act.

I think this bill reflects a significant understanding of the government's position in terms of economic response and response to the situations that they find themselves in. I look back to 1995 when there was a real deficit that was double the amount that is purported today. The response that the previous government had to those circumstances was to look very aggressively at the opportunities that the people of Ontario could provide to bring us into a fiscally responsible and, frankly, a fiscally advantageous, position. It allowed Ontario to lead the G7-G8 countries for several years. It meant that there

were 1.1 million net new jobs in this province. It meant that there were over 600,000 people who were no longer dependent on welfare.

What did we do, and what did we understand? We understood that one of the most important factors in any kind of economic renewal was the need to lower taxes. We understood that the only place that wealth comes from is when there is that economic activity in our community, when all our neighbours have jobs, when they are able to contribute to the economy of their community, and that multiplies across the province. We understood that was the key, because when our neighbours had jobs, when our communities were strong, we were able to put money toward those priority areas such as health and education. So in contrast to what we are looking at today, we embarked on an aggressive policy to reduce corporate income tax, to reduce personal income tax in a responsible, measured way that would mean that the taxpayers of this province would have more money in their pockets. That money then would create the jobs that we have been able to see in the past eight years in this province.

But today, we are looking at a very different situation. We are looking at a government that has in fact taken the initiative to increase corporate income tax. They have then increased those corporate income tax rates back to the 2001 level of 14%.

**1920**

I think it's really important for everyone to understand what the impact is. This bill we are debating means that those corporations in this province that looked forward to a further reduction in the new year—that is, January 2004—down to 11% in fact now are facing a 27% differential. That's the difference between what someone would have been expecting and what they will be receiving. The implications of that are extremely serious. They are very serious. Often people think “only for large corporations,” but that means we are looking at very serious implications for job creation.

I was in my community earlier this week at a volunteer recognition evening, certainly something that is extremely important in the life of every community, and ours was no exception. Afterwards, there were several members of the community who came up to discuss with me the implications of the introduction of this act; their fears of what this kind of initiative would do to the business of our community that provides the jobs in our community, that in turn supports the volunteers. It's those businesses that make the contributions to the silent auctions, to the local fair in prizes and things like that, just to give a very simplistic view, if you like, of that kind of economic spinoff.

But it isn't just my constituents who are concerned about the implications of such a step being contemplated by this government. I draw your attention to an article that appeared yesterday in the National Post. I will look at only a very small part of that, but it is, I think, a demonstration of a view that is more widely held even than those businesses in my community:



"But what may be even more of a burden to the McGuinty government over the long run are the promises his government is keeping. Those are the job-killing and growth-stifling taxes and regulations the government has brought forward as part of its so-called attempt to restore fiscal order.

"The enthusiasm with which the province's Finance Minister, Greg Sorbara, has endorsed corporate tax increases casts doubt on his grasp of his material. Hints of his detachment from economic reality have been around for weeks. One was his comment that increasing corporate income tax rates from 12.5% to 14%, rather than cutting them to 8%, was essentially a meaningless sideshow. 'My own sense,' he says, 'is that Ontario businesses are fully aware of the impact, which I don't think is going to be detrimental to the economy in any way.'"

I would simply want to reinforce the point I made that my small business constituents are very much concerned, in the same way this writer is, that in fact it does have very serious implications for the economy as a whole.

Another area that is contained in this bill is the question of the threshold for personal income tax surtax. It was certainly something that we, as members of the previous government, were particularly sensitive to. In each of our budgets, we increased the number of people who would no longer pay provincial income tax, even though they were still on the federal income tax rolls. With each budget, that number had grown successively to \$825,000 who would not pay provincial income tax. This government, in this bill, is creating a situation where we're going to see a significant number of people remain within that personal income surtax category. In fact, we are looking at almost half a million Ontarians.

I think that is again a demonstration of this government's failure to understand the sequence of jobs, economic activity and the ability, frankly, of a government to provide services. We only get the money for services from one place, and that's the taxpayer. We are looking, then, at turning the clock back. We're not only turning the clock back in relation to the taxes at the corporate level and as well at the personal income surtax level, but we're also doing it in the area of the equity in education tax credit.

I know that the previous speaker made reference to the fact that in the last election the government party was extremely open about its future for the education tax credit, but I think it's particularly unfortunate that they would see it necessary to make it retroactive. It's extraordinary, because in most cases, when any government is looking at making a change, they do not do it retroactively.

It's also a fallacious argument to talk about this money as something that should be used in public education, simply because these people are taxpayers. They pay for public education through their taxes. They have chosen to take their children into independent or private schools. The idea that Ontario would lag behind in providing some kind of recognition of their financial obligation as

regular taxpayers, I think, is most unfortunate and inappropriate for this government to be stepping forward at this point.

We do lag behind. Most of the provinces of this country recognize the importance of allowing parental choice and do see that there is an opportunity—and quite frankly, an obligation—to provide this kind of support.

I think there are two things here that need to be emphasized with regard to this decision: (1) the fact that it demonstrates Ontario is lagging in recognition of this and (2) the fact that, at maximum, this would have provided a recognition of half the cost of providing education through the public system to children of this province. Whether you are arguing on the basis of fairness or whether you are arguing on the basis of actual dollars spent, neither is satisfied by this decision in this act.

The other area that the government decided to repeal was the seniors' education property tax credit. I know that when I spoke to the voters in my riding, it was very interesting to see the number of younger people—people who certainly would not have benefited from this tax credit personally—who spoke to me about how important it was for them to support this. They saw this as an opportunity for their parents and grandparents to maintain independent living. They saw this as not a huge amount of money but the kind of money that would certainly go a long way for the seniors in the community.

#### 1930

One meeting I attended, which was largely seniors, was quite interesting, because one of the members of this group said to me, "Well, I do think that I want to make a contribution to the welfare of my province in terms of paying taxes." I was about to respond to that when another lady who was in the group said, "Don't worry, the government gets your money anyway. When you spend it, it comes back to the government. It provides a job for somebody. It does something good for the economic viability of our community."

You can imagine that I was rather pleased that she had stepped in ahead of me to respond. I think it demonstrates the fact that people do understand, that it is that economic viability that is at the core of our viability as a province. I think there are a number, not only of my constituents but many people within our community, who understand how important it is.

Again, going to an article that appeared yesterday in the *Globe and Mail*, which refers to the ongoing study looking at how competitive Ontario is, it gives us a demonstration again of the dangerous waters this bill is taking our province into. It says, "Although the statutory corporate tax rate is lower in Ontario than in the United States, the report said, US states allow bigger deductions for depreciation, charge lower capital taxes and provide other tax breaks that reduce the marginal effective rate of taxation, the key measure used by business when making investment or location decisions."

One of the things that Ontario has often tried to point to is the fact that business would find it advantageous to be in Ontario because of the public service advantages. In

fact, the opposite is true. Businesses would find it disadvantageous for fiscal reasons to operate in Ontario. Even after accounting for health, education, infrastructure and business subsidies, we find that Ontario businesses have a fiscal disadvantage of about 50% compared with their counterparts in the United States.

Many critics tend to look at this and suggest that our only interest is business, but I think more people understand that it is jobs that are the key. It is only when we have a productive, viable and vital community, as my constituents pointed out, that their neighbours are employed. Then we have the money to provide the services of which we are justly proud. I would suggest to you that in looking at the measures that are contained in this bill, we in fact put that vitality in jeopardy.

**The Acting Speaker:** Questions and comments?

**Mr Shafiq Qaadri (Etobicoke North):** First of all, I would like to say with respect to the—

**Mr Peter Kormos (Niagara Centre):** Whoa, whoa, whoa.

**The Acting Speaker:** Is that a point of order?

**Mr Chudleigh:** In the rotation, the NDP should go first.

**Hon James J. Bradley (Minister of Tourism and Recreation):** Roll the clock back.

**Mr Kormos:** Roll it forward.

**The Acting Speaker:** That wasn't the advice that I had.

The member for Etobicoke North would like to stand down. I recognize the member for Trinity-Spadina. I'll roll back the clock the two minutes.

**Mr Marchese:** Thank you, Speaker.

I want to say to the member for York North, you have to help me out. You see, I want to attack the Liberals; that's my job. But when you make that kind of a speech, it makes it complicated for me, you understand, because when you say, for example, that tax cuts were one of the most beautiful things you've ever done, I say that's one of the worst things you've done and the most destructive.

You are defending the most indefensible of economic policies that you have ever done. You have taken anywhere from \$11 billion to \$14 billion out of our economy in a way that has hurt all of our services, including health, education, social services, culture, labour, the Ministry of Natural Resources and anything else you can think of. It's destructive. Please, don't get up and defend something I can't defend. Remember, you and I have to be together to attack them. The government is over there, right? But you've got to make it easier for me. Otherwise it gets very complicated.

You say that wealth comes from tax cuts. Sorry, it doesn't do that. You say as well that your neighbours have created jobs as a result of doing that. I'm sorry, America is not a fine example to choose. We have 43 million Americans who don't have access to health care, and they have the highest level of poverty in the industrialized world. Please. Some 44 states are cutting their services unlike we've ever seen before because of the policies of those income tax and corporate tax cuts.

Bush is going to destroy the world with his \$870-billion tax cuts. He's killing us in the way that you were. So please, I want to attack the Liberals. Let's try to work together on this, OK?

**Mr Qaadri:** First of all, to the member from Trinity-Spadina, thank you for the theatrics. I would like to suggest, though, that it is really unbecoming of the NDP as a party, recognized or not, to be lecturing this House about fiscal responsibility.

Second, I'd like to move to my honourable colleague the MPP from York North. It seems, to quote you, as you said, you wish to "turn the clock back." I would suggest to you that the times have changed. Frankly, a number of your remarks suggest to me that you are fighting the previous war and talking about the same tax-cut mantra. I think when the next book by John Ibbitson, a writer for the *Globe and Mail*, is written, perhaps *Promised Land II*, your government, the Mike Harris-Ernie Eves junta, will actually be credited with being one of the few governments in Ontario to simultaneously create not only a social deficit, which we are having to now extricate ourselves from, but also a financial deficit. That, I think, is a historic first.

The other thing I would like to question very seriously is the level of near-libel that I believe you and some of your colleagues from the Tory party are engaging in—

**The Acting Speaker:** Maybe I can ask the honourable member to withdraw that. That's borderline.

**Mr Qaadri:** Sir, I withdraw it.

For them to suggest that Mr Erik Peters, a Provincial Auditor, a respected accountant, had his opinion purchased, which is I think the tenor of what is being said, is really a discredit not only to Erik Peters but also to this Legislative Assembly.

I would submit that there seems to also be a somewhat fuzzy logic coming from the Tories. Half of them talk about the \$5.6-billion deficit as if it doesn't exist; the others seem to think that it does exist and are apologizing for it.

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**Mr Chudleigh:** The—what was I going to say? I got so caught up on some of the rhetoric there; it was interesting.

My colleague from York North of course talked eloquently about some of the things we had done as a government and some of the things we had accomplished and how they're being undone by the Liberal government.

Some of the comments that were made by the Liberal and NDP members—of course, during the two-minute hits, as they're called, you don't attack the two-minute hits. You support or you attack, whichever your prerogative is, the person who gave the original speech. She talked about the social conscience that created 20,000 long-term-care beds during our eight and a half years in government—20,000 long-term-care beds after a 10-year hiatus. The Peterson government—how many long-term-care beds did they create? Let me think.

**Mr Dunlop:** I think it was zero.



**Mr Chudleigh:** The number was zero. Yes, it was zero. We refurbished a further—

**Hon Mr Bradley:** Twelve hundred.

**Mr Chudleigh:** Twelve hundred beds, did you say? There were 1,200 that were created by the previous provincial government, and they were completed during your term of office. You created zero.

The 16,000 long-term-care beds that were refurbished—oh yes, and then there was the social conscience. There were the 870,000 taxpayers in Ontario who don't pay Ontario taxes any more under our regime. You are bringing back 470,000 taxpayers who previously didn't pay any tax—they will now be paying tax under this Bill 2 that we're debating tonight. That's a sad day for Ontario taxpayers.

**Ms Shelley Martel (Nickel Belt):** My colleague Mr Marchese said everything that has to be said about tax cuts in his comments, so I'm not going to repeat that.

I'm sure somewhere in her comments Ms Munro talked about the current deficit that the current government's trying to hide behind, as they break one promise after another.

Because it's the first time I'm up tonight, I think that I'm going to just remind people what Mr Kwinter, who's here tonight, had to say, but also Mr Phillips, who was here, and I hope he's coming back.

I have a lot of time for Mr Phillips. He's a long-serving member of this assembly. He was the finance critic for the Liberal Party for many years. I had occasion to serve with him from time to time on the public accounts committee. I had a lot of respect for his insight into budgetary matters.

So when he was down in the estimates committee on June 3 talking about a \$5-billion risk, which was a \$5-billion deficit, I believed him. Those people who were in the room at the estimates committee that day believed him. I fully believed that he was down in that committee as the Liberal finance critic on behalf of his leader, Dalton McGuinty. His leader, Dalton McGuinty, believed him. The members of the Liberal caucus who were here at the time believed him as well. After all, he's been a long-serving member in this House. He was the finance critic for many, many years. He is held in a lot of esteem from the members of the gallery here. Everybody believed him when he said that there was a \$5-billion deficit.

He wasn't the only one who talked about a \$5-billion deficit. Monte Kwinter, who is here tonight, was reported in the Canadian Press on August 13, 2003, saying the following: "Liberal MPP Monte Kwinter (York Centre) accused the government of hiding the fact it has a growing deficit that could reach \$5 billion." I believed Monte Kwinter too, because he's been a long-standing member.

You can't hide behind this deficit. You knew it was coming. You made promises anyway.

**The Acting Speaker:** Response?

**Mrs Munro:** Thank you very much to the members from Trinity-Spadina, Etobicoke North, Halton and Nickel Belt.

Obviously, in a very brief moment to respond to some of the comments that were made—first of all, I would just say that the dramatic nature in which some of the comments are made is, I think, really quite enjoyable. Most of us have come to appreciate the ability of the member.

The comment was made about previous wars—I think that the member missed the fact that the quotes I used are yesterday's. That is the current thinking. That is the opinion, then, of observers outside this chamber who are looking in and seeing some initiatives that they consider to be very troubling.

Someone referred to the previous auditor. I made no reference to him, either by name or to his work, and I would not do so. So I would want to clarify that there was no comment made that in any way would bring the previous auditor into this discussion.

Finally, I think it is important—the member from Nickel Belt raised the issue around which the current government has hung its legislative hat, and I think she brought forward a most important consideration to that issue.

**The Acting Speaker:** Further debate? The member for Mississauga West.

**Mr Gilles Bisson (Timmins-James Bay):** Mr Speaker, on a point of order—

**The Acting Speaker:** Hold on one second.

I understand the NDP skipped the last round. My apologies. I'll acknowledge the member from Timmins-James Bay.

**Mr Bisson:** Thank you very much, Mr Speaker. I'm sure that was just an oversight. It's a lot of pressure being in the chair as a newly elected member, because it takes a while to really understand how this place works, and sometimes doesn't work, but that's another debate.

There are a number of things I want to talk about tonight in this particular debate. I'm going to take my time because there are a couple of things that I think need to be said in this debate right up front.

Number one, I support much of what's inside this bill. I've got to tell you up front that I support many of the things contained in this bill when it comes to the rollback of certain tax cuts that were put in place by the former regime. They are things that I campaigned on, and if I had been a member of the New Democratic government elected in the last election, much of this—not exactly, but much of this is pretty well the same.

I just want to echo what my colleague the member from Trinity-Spadina has mentioned, which is this whole concept that we were led to believe by way of the greater public for a number of years that if we go out and cut taxes, we're going to create all kinds of wealth. There will be all kinds of money rolling into the treasury, jobs will be created, there'll be all kinds of spending out there and it will just be grow, grow, grow that economy. Well, we've learned in Ontario that tax cuts are a disastrous approach to economic development. And never mind when it comes to economic development; they are disastrous when it comes to the treasury.

I mentioned this the other night, and I think we need to put this into some sort of context: We have now in North America around 40 state or provincial jurisdictions that have gone down the road of the tax cut as the panacea for all the economic woes of those particular jurisdictions. What's interesting is that virtually all of them are now in a deficit situation. If you look at the states south of the border that have followed the tax-cut agenda, they are in the same situation that we in Ontario now find ourselves in, where they no longer have the revenue to pay for the basic services that those jurisdictions are responsible to maintain: health care, roads, education and others. So we've got in the United States roughly about 41 or 42 jurisdictions where they followed the tax cut agenda as the way to do things and now find themselves in a deficit situation.

My good friend from Trinity-Spadina, the member from the third party, proud New Democrat that he is, as I am, said, "Look at the United States. Look at the federal government. Mr Bush is the author of probably the largest tax cut in the history of the United States." But when you take a look at the numbers south of the border, I think anybody who is a dispassionate observer will note that we have one heck of a deficit being created in the United States.

However, in saying that, I do have some problems with the way this bill has been titled. It seems that the Liberals are doing exactly what the Tories had done in the previous Parliament. They take the title of a bill in order to advance a political agenda. This particular bill is entitled An Act respecting fiscal responsibility. I'm a little disappointed with the Liberals, because I thought they would have been smarter than the Tories and wouldn't have used names of bills as a way of being able to send out yet another political message. I would have thought they would call this An Act to repeal certain tax decreases that were given previously, or something along that line. Instead, they're trying to spin this around.

I think it's important that we reflect on this bill title, so we can have a bit of a discussion about changing the title. I would, for that purpose, move adjournment of the debate.

**The Acting Speaker:** The member has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour? Opposed? In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 1950 to 2020.*

**The Acting Speaker:** All those in favour of the motion, please rise and remain standing.

All those opposed, please rise and remain standing.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 6; the nays are 28.

**The Acting Speaker:** The nays have it. The motion does not pass.

**Mr Bisson:** I'm so disappointed. I thought I was going to have some support on this motion. I thought I was pretty clear. I got support from the NDP, the members of

the third party, who said yes. They agreed with me. In fact, I thought the Tories would have been on side. The way this bill is titled, I thought for sure the Conservatives would be on side with me.

There's a sort of Orwellian doublespeak going on. Remember the Conservative government? Every time they used to print those bills, they put those obnoxious titles on them. I really did believe that the Liberal administration, after they won, would stop that practice, that they would actually call a bill what it should be. My God, can you imagine using the title of a bill for political purposes? It's like advertising. Didn't they promise they would stop all political advertising over there?

Well, here they are. They know that everybody in Ontario is going to run out to get a copy of this bill, right? Because they want to look at which tax cuts they're not going to get. You take a look at this and it says "An Act respecting fiscal responsibility." It's not about fiscal responsibility. Come on, guys. You knew what the deficit numbers were last spring, so don't come to me and all of a sudden say, "Oh, I just became fiscally responsible." It doesn't work that way.

We knew last spring; I knew, certainly. I sat on the estimates committee with Mr Phillips, who sits across the way, the member for—I forget his riding.

**Mr Marchese:** The minister of Management Board.

**Mr Bisson:** Yes, the minister of Management Board, a capable member. I have to say that a lot of us who have served here a while—there are a number of members—are all colleagues. We might be sitting on different sides of the House, we might represent different political parties, but I think there's a certain respect in the House when it comes to long-standing members and the ability for those people not only, quite frankly, to get re-elected—getting elected a second time around is pretty difficult to do in this business—but we begin to respect each other. We say that people like the Management Board minister, Mr Phillips—he is an honourable individual. When he talked about financial issues, I agreed with most of what he was putting forward as far as analysis.

**Mr Marchese:** That's why you make reference to him all the time.

**Mr Bisson:** Exactly. That's why I make reference to him, because he's one of the experts on this issue.

So I sat at the estimates committee, and I listened and observed and participated with Mr Phillips at the time, and it was very clear when he was presented with the numbers by the then Minister of Finance, Janet Ecker, that he was in disagreement, as I was. We looked at the budget numbers and we said, "When you look at the numbers you've got in the budget, they add up to about a \$5-billion deficit." Mr Phillips was very direct about that. So we knew back last spring that there was going to be a deficit this fall.

The political parties went out and put together their political platforms based on what they thought the revenue might be. In fact, we factored those numbers into our platform. We always said, way back when, as we were talking to education groups, groups within the



health care field and others, that there was no way in heck the Liberal Party would be able to hold

Are you OK? We had a member almost fall off the aisle there. Those high heels are getting—they're not that high. You're all right? That's the main thing. I wouldn't want to see you get hurt.

I was just saying that, as parties, we costed our platforms. We went out and looked at what is the revenue going to be, what are the assumptions of where the revenue will be come the end of this fiscal year and into the following year and we all put together a campaign platform. We factored in the numbers at \$5 billion. We pretty well knew what the revenue was and that we would end up with a \$5-billion or \$4.5-billion deficit, so we budgeted accordingly.

The Liberal Party, in the last provincial election, said, "Hey, we're the party of everybody. You want less people in the classroom? It's yours. You want more nurses? Yours too. Who's next? Got it for you too." They just ran around the province saying, "Not a problem. Where's the cash register? Ka-ching," and they just kept on adding up the numbers.

We said, "It don't add up. The Liberals are going to make all these promises to you in the coming election, and during the election the same thing, they're going to make all these promises. But at the end of the day, if they get elected, you can't trust them. They're going to try to say they're going to do something for everybody, but once they get elected, the numbers don't add up."

As much as I support much of what's in this bill, I have a real problem with the premise, what this bill is all about, which is saying, "Oops, we're surprised." I don't believe anybody was surprised around this place unless they weren't paying attention to the budget process last year. We knew there was a problem.

Why did the government try to take the budget off-site to the Magna International plant? They didn't want the public scrutiny back in April, so it was a pretty clear alarm bell. If the Conservative government under Ernie Eves was unwilling to bring his budget to the Legislature, there must be a reason. We were speculating back then, because we thought he was going to have a deficit and he was trying to have an off-site budget so he didn't have to have it scrutinized in the Legislature, and then he'd call a spring election. Well, SARS happened, the Magna budget thing backfired on him, and they had to bring the House back last spring. So it's pretty clear. We knew, as most other people knew, that there was going to be a deficit in this particular year, and I think nobody should be surprised at what goes on.

I say again, I support much of the initiative within this bill. I support the reduction—

*Interjection.*

**Mr Bisson:** Well, I think the corporate tax cuts had to be taken away.

This is what I'm saying. Where I have a problem and why I voted against this at first reading is because the premise of this bill is like, "Oops, I didn't know." I'm saying on the basis of, "Oops, you didn't know," I'm

going to be a party to a Liberal conspiracy or a government conspiracy to try to say they were surprised. I'm not going to support that. I support the concept of what's in the bill, but I have a little bit of a problem trying to buy into the argument that it was a surprise.

One of the things I would ask for is that the government actually change the title of this bill. If the government is prepared to change the title of the bill, I'd be pretty willing—

**Interjection:** To the "Oops, we made a mistake" bill?

**Mr Bisson:** Well, no. If "Oops, we made a mistake" was the title, well, OK, I'd probably support it. That's the test.

**Mr Kormos:** The Fibber McGuinty bill.

**Mr Bisson:** The Fibber McGuinty bill. That has a ring to it. I'll try that.

I just say to my good friends across the way, if there was a change of title of the bill, I'd probably support you, because much of what's in this bill I can support.

I want to come back to one of the points I made earlier, and that is this whole concept that giving corporate tax cuts is going to generate jobs, wealth and revenue because everybody is spending money.

**Mr Kormos:** It will for the Conrad Blacks of this world.

**Mr Bisson:** How did you know I was going to go there?

**Mr Kormos:** To Tubby Black?

**Mr Bisson:** I was going to talk about Mr Conrad Black. Is Mr Tubby his nickname? OK.

I have enormous respect for my friend the member for St Catharines—Niagara Falls, I guess it is—Mr Bradley. He has sat in this Legislature longer than I. He's a very well-spoken member, researches his stuff before he speaks. I've always enjoyed his speeches in the House, and I would say our ideological approach to politics is somewhat similar. I really enjoy having him speak here on this side of the House. I was just noting the other day that the first chance he got to talk about Conrad Black, he was up on his feet. I just thought, "One thing you can always count on about Jim is a bit of consistency when it comes to his main themes." But I agree with Mr Bradley, the member from—Niagara Falls?

**Hon Mr Bradley:** St Catharines.

**Mr Bisson:** The member from St Catharines, thank you.

I agree with the member from St Catharines. What you saw Conrad Black do is almost what this government—the Tories—tried to do when it comes to what they did with revenue. Conrad Black, quite frankly, should be locked up for what he did. The claim to fame of this guy, the way he built his fortune, was—remember the Dominion store? Do you remember the Dominion store situation? He robbed the pension plan—elderly people, who could ill afford to be in retirement as it was because they were measly pensions. This guy went out and took money from the Dominion store employees and the people on retirement, and he got a knighthood for it. Where I

come from, if anybody pilfers a corner store, they throw them in jail.

**Interjection:** Boot camp.

**Mr Bisson:** Never mind boot camp. Well, in Tory Ontario it would be boot camp. It would be a lesser threshold. But where I come from, I've got to tell you, if somebody is out in the corner store trying to steal a nickel candy, they're going to basically throw them in jail. There's no tolerance.

**Mr Kormos:** What about George Radwanski? Does he go to jail too?

**Mr Bisson:** That's another story.

**Mr Kormos:** He should.

**Mr Bisson:** It's my six minutes, all right?

**Mr Michael Prue (Beaches-East York):** Don't heckle our own member.

**Mr Bisson:** I'll let you go on that one. I just make the point that there seems to be a—what's the word I'm looking for?

**Ms Martel:** A double standard.

**Mr Bisson:** Thank you very much. There seems to be a double standard in how we treat people when it comes to breaking the law. On the one side, you get the working poor, the person who is disadvantaged or even the working class, who, for whatever stupid reason—and I don't condone anybody stealing. They're trying to put food on the table sometimes or they're pathological about it. Whatever it is, whatever the reason, they go out and steal \$1,000 or they steal \$10,000, and they get the full weight of the law put on them. I think we've all seen within our constituencies that when those kinds of things happen, there's no second thought to throwing the book at these people. But you get Conrad Black, who basically pilfered the pensions of the workers at the former Dominion, and the guy got a knighthood. I say to myself, there's something wrong, there's something absolutely wrong in our system when there's that kind of doublespeak, when there's that—

**Mr Chudleigh:** But they're investigating it, right?

**Mr Bisson:** I was just wondering. The point is, why wasn't he investigated? I think it was Tories—were the Tories in government when that happened or was it the Liberals?

**Mr Kormos:** The Dominion store—

**Mr Bisson:** Yes, it was a long time ago. Anyway, that was my point on that.

I say that when it comes to what the previous government did when it comes to tax cuts, it's a little bit like that. The argument they make is that if you do the corporate tax cut, it's going to create confidence in the economy because corporations will do more investment, and then at the end of the day it will create more wealth within the economy. What we've seen is completely the opposite. The books of Ontario are not balanced any more, and one of the reasons for that is the actual tax cut.

I want to put this proposal to my Liberal friends in the government again, and specifically to the Chair of Management Board. I really want you to reconsider the idea of renaming this bill. This bill should not be called An

Act respecting fiscal responsibility; it should be—oops, I can't say "lied." I take it back.

**Mr Kormos:** "Oops, I stepped in it."

**Mr Bisson:** "Oops, I just stepped in it" bill or "Oops, I was wrong" bill. You do some kind of change away from that and then I would be prepared to vote for your bill.

To give you an opportunity to reflect on that, I would move adjournment of the House.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

Opposed, say "nay."

In my opinion, the nays have it.

Call in the members. It will be a 30-minute bell.

*The division bells rang from 2035 to 2105.*

**The Acting Speaker:** Members, please take your seats. Order.

Mr Bisson has moved adjournment of the House. All those in favour of the motion?

**Mr Kormos:** No, no, they haven't taken their seats.

**The Acting Speaker:** They're moving quickly, with proper protocol. Members, order.

Mr Bisson has moved adjournment of the House.

All those in favour of the motion, please rise and remain standing.

All those opposed, rise and remain standing.

**Clerk of the House:** The ayes are 6; the nays are 27.

**The Acting Speaker:** The motion is lost.

The member for Timmins-James Bay.

**Mr Bisson:** I really want to thank my colleagues who voted with me, all six of you. I just think that was fantastic.

I'm really disappointed that the government didn't take me up on my offer. I thought I was making a reasonable request. I was saying to the government, "If you want to have my support, I'm prepared to support this bill, but I want the title of the bill changed." This has got to be the "Oops" bill or something. If you're going to do the kind of stuff that the Tories used to do—you accused them of partisan political advertising and then campaigned in the last election to say, "That's wrong. We've got to stop partisan political advertising. We're going to be different." I want to see in your practice that you actually are different. But I look at the title of this bill and I say you guys are doing the same thing that the Tories did when it came to making the changes.

C'est un très bon point, parce que si on regarde, c'est le même titre en anglais qu'en français. On a la situation où le gouvernement dit une affaire durant la campagne électorale et fait l'affaire complètement différente une fois élu ici à l'Assemblée comme gouvernement.

Moi, je me rappelle très bien le gouvernement conservateur qui rentrait ici journée après journée, introduisait un projet de loi et, en donnant le projet de loi, nous disait, « Écoutez, dans le titre de la loi, on va donner une publicité », et quand on regardait la manière dans laquelle les projets de loi étaient intitulés, la manière dans laquelle ils étaient décrits, c'était des publications.



J'ai toujours pensé que ça n'était pas la bonne affaire. On s'est plaint, mais le gouvernement a continué le pratique.

Je m'attendais à ce que le Parti libéral, une fois devenu le gouvernement, soit différent. Puis ils ne sont pas différents. C'est ça vraiment qui m'achale. Franchement, mesdames et messieurs, j'avais pensé que les libéraux auraient été différents. Mais on trouve qu'ils ne sont pas différents. Les libéraux, les conservateurs, c'est la même affaire. Pile ou face, pas de différence. Rien n'a changé.

So I say to the government, you can't go out to tell the people in the election one thing and then come here and do completely the opposite, and that's exactly what they're doing. I'm going to say it again: I voted against first reading of this bill for that reason. I support the intention of the bill, but I have a real problem when the government is trying to use the title of the bill as a way to do partisan political advertising at the cost of the taxpayers, by way of publicizing on the title of the bill a bit of Orwellian doublespeak and partisan political advertising.

The Liberals ran with a platform. I looked at the platform, and the platform said clearly that they were going to abolish all partisan political advertising. Then they got elected. Then they went to one of the first press conferences and said, quite frankly, they were going to stop all partisan political advertising. Well, I don't believe them any more. Liberals say one thing during the campaign, and then they flip-flop and say something completely different.

I've just got to say a Liberal is a Tory as a Tory is a Liberal. No différence. Merci, Monsieur le Président.

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**The Acting Speaker:** Questions and comments?

**Hon Mr Bradley:** I want all the professors watching tonight who have taken up the cause of the New Democratic Party in this House to see what the New Democratic Party is doing tonight. They have, by some convention, now managed to get 20% of the speaking time. One in every five speakers seems to have been a New Democrat. We have seven people in the House who are independents who call themselves New Democrats, yet, when given the opportunity to speak in the House, decide to adjourn the debate, first of all, for a half-hour, then they decide they're going to adjourn the House for another half-hour. So a member who I like hearing speak from time to time, the member for Timmins-James Bay—I like hearing some of his speeches—instead of delivering a speech, engages in procedural silliness, and I—

**Hon Gerard Kennedy (Minister of Education):** Wasting time.

**Hon Mr Bradley:** Wasting the time of this Parliament. So I'm going to tell Professor MacDermid. Professor MacDermid of York University has done some excellent work, and there's a coalition of professors and others out there who have tried to make a compelling case for our friends, who call themselves New Democrats, participating in the House. If they're watching

tonight, I want them to see what our friends in the New Democratic Party have done. They've wasted their time. They don't want to speak. They want to block the Conservatives from speaking. I want to hear the member from Halton. I'm not likely going to agree, but I want to hear what he has to say. I want to hear the speeches of the independents who are sitting over there. But instead of using their time productively, I say to the professors, these people are simply wasting the time of the House, and it's a ruination of democracy.

**Mr Chudleigh:** It was interesting listening to the member from the third party—can I call you the third party?

**Mr Bisson:** Yes you can.

**Mr Chudleigh:** That's almost like calling you NDPs. It's hard to make comments on a speech when most of the time was taken up with ringing bells. The bells that rang here were seasonal.

**Mr Howard Hampton (Kenora-Rainy River):** Ted, you're not in government any more.

**Mr Chudleigh:** You guys are shooting over here. I'm being heckled by the NDP, for those people at home who are watching, and they think that I should be shooting this way as opposed to that way, which is probably appropriate.

But ringing bells were interesting. The comments the speaker made about political advertising: of course, the Liberals said that was exactly what they were not going to do, and they're doing it in subtle ways with the titles of their bills. As we go through this session of Parliament and this Legislature, as we get into the one-year, the two-year and the three-year, as we get closer and closer to that wonderful date of the next election, when the people of Ontario can once again express their opinion as to what kind of job they think the government is doing, it'll be very interesting to see how that political advertising unfolds into the future. I'm sure that all the Hansard comments made by Liberal members in the last few days will be remembered by those of us who are destined to bring the truth to the people of Ontario, and we look forward to that opportunity.

**Mr Kormos:** I listened carefully to Mr Bisson's speech, to my good friend the New Democratic Party member for Timmins-James Bay, and I listened to the commentary provided from time to time by the NDP leader here at Queen's Park, Howard Hampton from Kenora-Rainy River. Howard was querying as to when the ads by the Liberals will first start appearing on the airwaves. I suspect that in view of the fact that the Liberals weren't here more than 24 hours before they voted themselves a three-month holiday—the months of January, February and March. Catch this, Speaker: These guys are here no more than 24 hours and they vote themselves a three-month vacation. I suspect you might well see some of that advertising during those three months when the Liberals are scurrying off to rich friends' haciendas in countries where passports are required to get to and out. I suspect that the advertising will first start appearing while these people are scurrying

off like pigs at the trough, ear-deep, muzzles in there, oinking and porking away—porcine abuse, exploitation of taxpayers' dollars.

Down where I come from, I've got working women and men who work darn hard. None of them can vote themselves a three-month holiday after only one day on the job. The Liberal porkers vote themselves a three-month holiday after—

**The Speaker (Hon Alvin Curling):** Point of order.

**Mr Kormos:** Thank you kindly, Speaker, but I'm not finished, you understand?

**The Speaker:** You're OK now?

**Mr Kormos:** Oh, yeah.

**The Speaker:** Good. Point of order, the member from York West.

**Mr Mario Sergio (York West):** Mr Speaker, for a member to rise in the last hour—they've called not to sit in this House and call for a three-month holiday—

*Interjections.*

**The Speaker:** Order. I didn't hear the point of order. Could you say it again for me, please?

**Mr Sergio:** I'm glad to repeat it, Mr Speaker. Within the last hour, the members of the third party called to adjourn the House twice, which meant that for one hour we couldn't work. So when they rise in the House and say we're going on a three-month holiday, it's an offence to members of this House.

**The Speaker:** It's not a point of order.

**Mr Kormos:** Hey, I lost 20 seconds. Is that fair? The guy rises on a bogus point of order because he wouldn't know a rule if it bit him on the butt, and he takes away my 20 seconds?

**The Speaker:** Questions and comments?

**Hon Joseph Cordiano (Minister of Economic Development and Trade):** Comments? Yes.

Do you know what? This is very interesting. It's an interesting discussion. I thought I heard the member for Niagara Centre talk about the fact that we're going to give ourselves a three-month holiday. I don't know about him, but I know that none of the cabinet ministers and none of our members will be on a holiday at all. I know he says that because when he was a minister, he had time to pose in the Sun as a Sunshine Boy. Sure, he had a lot of time to do that. He posed as a Sunshine Boy. When he was a minister, he took the time to do that. None of us will be doing that, I assure you.

**The Speaker:** Would you direct your comments to the Speaker?

*Interjections.*

**The Speaker:** Order. I know it's Thursday. I know that everyone would like to leave. Minister, would you direct your comments to the Chair, please?

*Interjections.*

**The Speaker:** Could I ask the members of the NDP to just be quiet a bit.

**Hon Mr Cordiano:** I understand the New Democrats—

**Mr Kormos:** Point of order.

**Hon Mr Cordiano:** No point of order. Don't even recognize them, Mr Speaker. They've had more than their fair share of time. It's my two minutes to rebut.

**The Speaker:** Point of order.

**Mr Kormos:** Speaker, could you please remind the television audience that this is live and not a rerun?

**The Speaker:** I can't hear the point of order.

As a matter of fact, it's even better when you stand here and don't hear anything.

You had a point of order, member from Niagara Centre?

**Mr Kormos:** Yes, Speaker, if I may.

**Hon Mr Cordiano:** He never has a point of order; he's always out of order.

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**Mr Kormos:** Do I have to listen to that when I'm trying to make my point, Speaker? Very briefly, Speaker: would it not be appropriate for the Speaker to remind the viewing audience that this is live and not the rerun that they often see during the course of the broadcast?

**The Speaker:** That's not a point of order.

Minister?

**Hon Mr Cordiano:** I do believe I had at least a minute left, Mr Speaker.

**The Speaker:** Your time is up, Minister. I'm sorry.

Member, you have two minutes for your comments.

**Mr Bisson:** I thank the member for St Catharines, from the Fiberal party, who says that this is not partisan political advertising. Quite frankly, that's exactly what it is. I just thank the member for St Catharines for his contribution, although he is a Fiberal.

I would also remind him that he professes he's upset that we are working by the rules. I remember Jim Bradley when he was in opposition to the NDP government and to the Conservative government, when he was House leader, before Dalton McGuinty demoted him, and I remember that he was the most obstructionist House leader in opposition that I have seen around here, next to Elie Martel, Dave Cooke and Peter Kormos.

**Mr Kormos:** Everything I know I learned from him. A lot of the things I know I learned from Jim.

**Mr Bisson:** Exactly. We've watched very carefully as Mr Bradley, the member from St Catharines, the now minister—

**Hon Mr Cordiano:** Mr Speaker, on a point of order: Speaking to the seriousness of the debate, I remember the days in which the NDP was regarded as serious in dealing with the debate of the day and sticking to the point.

**The Speaker:** That's a good point, but it's not a point of order.

**Mr Bisson:** To the member from Halton, I also wonder: You talked about fixed election dates. You were saying that in four years we're going to have an election. I wonder when it's going to be. A campaign promise by the Liberal government: "We're going to have fixed election dates." I look forward to asking the question to the government when that fixed election date is going to be set. When are they going to do it?



To the member from Niagara Centre, what can I say? It's always a pleasure.

I say to the rest of the members of this assembly, I support generally what's in this bill, but I really have a problem with your title because it is doublespeak—nothing but partisan political advertising in the title.

**The Speaker:** I thank the member from Timmins-James Bay for his comments and his response.

Further debate?

*Applause.*

**Mr Chudleigh:** Thank you very much. I appreciate that applause. It's certainly the spirit of Christmas brought about by the ringing of the bells by the third party. We look forward to the coming Christmas. It's certainly a wonderful time of year.

I was disappointed that the third party rang the bells for an hour, because that changed the clock, and in the rules of the Legislature, my time in front of you this evening went from 20 minutes to 10 minutes. So they stole that time from me.

In the normal course of rotation, it would normally be the Liberals' turn to speak to this bill, but on a bill like this, a bill that raises the taxes of Ontarians more than any other bill at any other time in the history of Ontario, the government fails to put up a speaker. They don't want it discussed. I can well understand why. The record bill for raising taxes prior to this bill rests with the Liberals. In 1989, their tax bill increased taxes \$2.2 billion. The third-place record belongs to the NDP. They raised taxes \$1.9 billion under Bob Rae in 1993.

This bill, Bill 2, the Fiscal Responsibility Act—that's a bit of a misnomer—raises taxes in excess of \$4 billion. That's a lot of money, whether you put a B or an M in it—\$4 million or \$4 billion. That's a lot of money. I don't know how many piles of \$20 bills that is, but it's a huge amount of money, and that is what this bill is—raising the taxes. They're taking that money out of corporate pockets, individual taxpayers' pockets. They're taking it out of pockets of people who today don't pay taxes in Ontario because their income is so low they fall below the threshold of paying taxes. Yet this bill will put 470,000 Ontarians—

**Hon Gerry Phillips (Chair of the Management Board of Cabinet):** You don't know what you're talking about.

**Mr Chudleigh:** That's 470,000 Ontarians, Gerry. Check it out, Gerry. It's true. You should check your people. I know you don't want to do that. You're not a mean-spirited person who would raise taxes among Ontario's poorest people just before Christmas. I know you wouldn't want to do that, and yet that is what your government is doing.

**The Speaker:** Will the member from Halton direct his comments through the chair.

**Mr Chudleigh:** Mr Speaker, you should have a chat with Gerry, because I know he doesn't want to do that.

I go back to September 11, 2001. That was a day of infamy. It really changed our world. But on September 11, 2003, there was a quote: "I promise to abide by the

Taxpayer Protection Act." Who said that? None other than the now-Premier of this province, Dalton McGuinty. My goodness. I'm afraid that Bill 2 moves away from that promise. What do you call that? It's hard to express my concerns about that particular comment here in this House.

*Interjection.*

**Mr Chudleigh:** Yes, it's difficult, but it is a promise that is, at the very least, broken.

On November 21, our Premier was quoted in the Ottawa Citizen again. He said, "We're going to have to do something about the balanced budget legislation." The balanced budget legislation means that you can't run a deficit. Like every other person in Ontario, whether it be a family, whether it be a corporation, whether it be a small business, they know they can't run deficits. They know they have to pay their bills. They know they have to be responsible. But on November 21, Dalton said: "We're going to have to do something about the balanced budget legislation. It's having at present, in its existing form, a perverse effect on governments."

"Perverse" means corrupt—a corrupt effect. It's corrupt to balance budgets in Ontario. That's the Liberal way: It's corrupt. Can you imagine that a Premier of this province would say it's corrupt, a perverse effect on the government of Ontario? It's unnatural, it's aborting the normal course of business? It's unbelievable that a Premier of this province could make such a comment.

Of course, the Liberals express a great deal of surprise. "Surprise. We've got a \$4.6-billion deficit. Surprise." My goodness. All they had to do is talk to Gerry Phillips, the member from Scarborough-Agincourt. He knew all about it. He knew.

*Interjection.*

**Mr Chudleigh:** No, he didn't use the word "deficit," in fairness to my good friend Mr Phillips. He commented that we have a—what was the word you used?

**Hon Mr Bradley:** Risk.

**Mr Chudleigh:** Risk. We have a risk of running \$5 billion—there's \$5 billion at risk.

*Interjections.*

**The Speaker:** Order.

**Mr Chudleigh:** Well, if you've got \$5 billion at risk, Gerry, where would it come from? It would come out of a deficit, wouldn't it? Say it quickly and it just about means the same thing.

The guys out there who are listening to this, when they have to reach into their pockets and pay the \$4 billion-plus in increased taxes, when they have to reach into their pockets and take their hard-earned money, when they get up at 5 o'clock in the morning to get on the job site at 6, when they have to do that and reach into their pockets and pay those extra taxes, Gerry, I expected more.

I could go through the bogus deficit. For some time we could go through the bogus deficit.

October 23 is another date—I think that was the date. Yes, that's the date you fellows were sworn in and all the cabinet was sworn in. And boy, there were some glorious things said that day. There were glorious things said that

day. The Premier stood up in this House on that day, and he was talking to the taxpayers. It was a passionate speech. It was a good speech. It was a wonderful speech. He said that his government will work just as hard as the people of Ontario will work. "We will not blame others," he said. He said that. "We will not blame others. We will roll up our sleeves and we will get the job done."

That doesn't seem to be what's happening in the province of Ontario, because since this House has come back, I have heard nothing else from that side of the House and from a few leftovers over here. It's everybody else's fault except the Premier's, and that's exactly what he said he wouldn't do. And every one of the cabinet ministers who has spoken before this House has said the same thing. We're here and we're in this situation because of a bogus deficit that you manufactured, and when you manu-

facture that bogus deficit, you're blaming others. You're taking no responsibility yourselves. It's been a sad day for Ontario.

Mr Speaker, I'm sure you want to bring this to a close. I think I have—

**The Speaker:** Don't tempt me.

**Mr Chudleigh:** Oh, you're going to let me run the clock.

I'm going to make one more point. The other thing the Premier said is, "We will live within our means." What he meant was, he will live beyond his means—

**The Speaker:** Thank you. Just remember how generous I was at this time.

It seems to be after 9:30 of the clock. The House stands adjourned until 1:30 of the clock on Monday.

*The House adjourned at 2132.*

## ERRATUM

No.	Page	Column	Line(s)	Should read:
6a	197	2	34-35	<b>Mr Toby Barrett (Haldimand-Norfolk-Brant):</b> I have a petition with respect to the small business tax relief and I wish to



# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 1 December 2003

Lundi 1<sup>er</sup> décembre 2003

Speaker  
Honourable Alvin Curling

Clerk  
Claude L. DesRosiers

Président  
L'honorable Alvin Curling

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 1 December 2003

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 1<sup>er</sup> décembre 2003

*The House met at 1330.*

*Prayers.*

### MEMBERS' STATEMENTS

#### LIBERAL CAMPAIGN PROMISES

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I rise today to bring to Ontarians' attention another broken Liberal promise. Last Thursday, Dalton McGuinty told the Legislature that he would move to amend the Taxpayer Protection and Balanced Budget Act. He said, "This legislation is not having the intended effect." In Daltonland, words and commitment are simply a ploy to get elected. Dalton voted for the Taxpayer Protection and Balanced Budget Act. He said in his election platform that he would support it and not bend it at his whim. Dalton even signed a pledge to uphold this legislation just 10 weeks ago. Now the Premier is telling Ontarians that the legislation is not having the intended effect.

Dalton's attempt to pull the wool over the eyes of voters is not having its desired effect, as the Premier would wish. Liberals in Daltonland know that cynical politics would be their demise, yet they are forging ahead without a thought to keeping their promises. Surely Dalton will claim that he's improving the taxpayer protection act, but can we trust him? Can we take the Premier at his word? He has already raised our taxes, he is planning new user fees for seniors, he is raising hydro rates for homeowners and businesses and he is killing jobs and destroying opportunity for the people of Ontario. Dalton is the chief promise-breaker, and the people are starting to realize it.

#### TRILLIUM GRANTS

**Mr Kim Craitor (Niagara Falls):** First let me thank you, Speaker, for the opportunity to speak in the House today. I'm pleased to represent the people of Niagara Falls riding, and I rise today to congratulate the many worthwhile organizations that recently received Trillium grants in my riding. I'm delighted these grants cover a wide variety of necessary community projects that will benefit even more people in our community.

The Royal Canadian Legion will have the opportunity to repair a roof on their vital community facility. St John Ambulance will receive a new mobile emergency first-aid post to serve attendees at the many community

activities. The Stamford Centre Volunteer Firemen's Association is able to make improvements to an outdoor theatre that attracts thousands of people to the north end of our community. The disabled will be better served with accessible washrooms at our important community facility the church of St John the Evangelist. Information Niagara will be able to develop a strategy to use volunteers to effectively disseminate information and referral services to our many diverse communities.

Many valuable services exist in Niagara Falls that rely on volunteers. I'd like to commend the individuals for giving back to their community and making Niagara Falls a great place to live, to work, to play and of course to visit.

#### SENIORS

**Mr Cameron Jackson (Burlington):** Thanks to this new Liberal government, last week was one of the darkest weeks in Ontario's history for Ontario's 1.6 million seniors. This has to be some of the worst news they've ever received.

On Monday, seniors learned of the largest single tax increase in Ontario's history, with the loss of the seniors' education tax credit coupled with the loss of their provincial income tax cuts. The average senior is going to pay \$1,000 more.

On Tuesday, seniors learned that effective April 1, their electricity bills will increase by a minimum of 25%. An average senior will pay anywhere from \$600 to \$800 more a year.

On Wednesday, seniors learned that all of a sudden the promise of a rollback of auto insurance premiums wasn't going to happen. Seniors with good driving records would see their recent 30% and 40% increases upheld and, in fact, only see less coverage and maybe the loss of their seniors' discount as a result.

On Friday, seniors learned that this government was planning to eliminate the prescription drug program and begin income-testing it for seniors across our province.

Seniors have enjoyed the benefit of the lowest-cost drug program in North America. This is a program which does cost the government, along with social assistance recipients, about \$2.4 billion. It is not covered under the Canada Health Act. Yet, in 1997, the federal government promised a national drug program. Why did they not deliver it? Because they could not meet the standard in Ontario to provide as much coverage.

So the real plan here is yet another sell-out to the federal government to bring in an income-tested drug



plan. This will raise the threshold and raise hundreds of millions of dollars in revenue for a drug plan.

Seniors in Ontario deserve to live with dignity and respect, and this government is taking it away from them with another broken promise.

#### HAMILTON CITY COUNCIL

**Mr Dominic Agostino (Hamilton East):** Tomorrow a new Hamilton city council gets sworn into office. I rise today to offer my congratulations to the candidates for municipal office who were elected on November 10. The voters have demonstrated their faith in them and in the work they do, and I know that faith is well placed.

I would like to recognize the efforts of all the candidates who ran for office but were unsuccessful. It takes a special kind of commitment and dedication to the community to put your name on the ballot.

I also take the opportunity to offer my special congratulations to Mayor-elect Larry DiIanni. Larry ran on a platform that offered hope and opportunity for the future of Hamilton, and as well to move past the divisive issues that have plagued our great city. This type of leadership will serve the city well in the months and years ahead. I've known Larry DiIanni for a long time, since my days on city council, and I know him to be a person of great integrity, great intelligence and great commitment to the people he serves.

I know that under Larry DiIanni's leadership, Hamilton will be well served, and that leadership will reach out to all aspects of our community.

Also, this week the new school boards will be put back in place. Hamilton Board of Education will be sworn in. The powers that were taken away by the previous government and the supervisor will be returned to the trustees. I know that it's an especially exciting week for trustees on the Hamilton board, because they will finally have the opportunity to carry out the mandate given to them by the people of Hamilton.

I also want to congratulate the trustees in the Hamilton-Wentworth Catholic District School Board for their successful re-election. I know they will continue to serve us well.

Once again, I offer my congratulations to Mayor-elect DiIanni for a victory well deserved, and to a city that's going to be very grateful for that victory.

#### PROJECT TURNAROUND

**Mr Garfield Dunlop (Simcoe North):** I rise today on behalf of the operator, parents and youth involved in Project Turnaround, the strict-discipline facility for young offenders near Midland.

On Friday morning, the young offenders from Project Turnaround were carted away to other facilities, in spite of the fact that Minister Kwinter announced only two days earlier that the facility was to close when the operator's contract expires on January 31.

I'd like to thank the media for letting us know about this secretive move by the Liberals. I'll bet the Liberals

thought no one would find out by executing this dirty manoeuvre on a Friday, when the House isn't sitting. I'm holding them accountable today with this statement that will become part of Hansard.

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Why did the Liberals move so quickly to shut down this successful program? Don't be fooled when they say it is for economic reasons. We know otherwise. The cost to operate Project Turnaround is 33% less per diem per inmate. Why should we believe them when the minister himself doesn't even know the correct name of the facility and program? On November 27, I had to correct Minister Kwinter in this House on several facts about Project Turnaround, including the name of the program.

You'd think that Dalton McGuinty would have the common courtesy to let people know before they shut the door in their face. With this spiteful move, the Liberals have sent a strong message: Dalton McGuinty is not a friend of community safety, nor is he a friend of business.

Closing Project Turnaround, apart from the jobs that will be lost, will end up costing Ontario taxpayers more money to house young offenders as Dalton McGuinty pays back his union leader buddies.

#### PROSTATE CANCER

**Mr Peter Fonseca (Mississauga East):** On Friday, November 27, I had an opportunity to speak at the third annual Bay Street breakfast to raise money for prostate cancer research. These successful events have raised over half a million dollars. The monies are important to fund research into the causes, the cure and the prevention of this disease.

Prostate cancer is the number one cancer for men. It's about as common as breast cancer. One in eight men will develop the disease over their lifetime.

This year there will be a new case every 30 minutes and a death every two hours. It may overtake the combined incidence of the second and third cancers among men, namely lung and colorectal, by the end of the decade.

There may be one million men with this disease but there are only 200,000 who know they have it. Prostate cancer remains the least understood major cancer. A diagnosis of cancer will be life-changing news for each and every one of these men who contract the disease.

That's why our government is committed to screening that works. Our government is committed to providing better access to care. The research will help enable advances in screening, diagnosis and treatment, as well as prevention and ultimately a cure.

#### EDUCATION FUNDING

**Mr Tim Hudak (Erie-Lincoln):** I'm pleased to speak about the equity in education tax credit. This weekend I was at the Smithville Santa Claus parade, and I can't tell you the number of parents who came up to me at the

parade and asked me to fight to save the equity in education tax credit. I said, "Of course I will. Of course I will fight the Liberal decision to take that away," because I, unlike Dalton McGuinty and Gerard Kennedy, believe that parents can make the best choice of where they send their children to school. Parents can make the best decision for their child's education, more so than politicians or Ministry of Education bureaucrats.

One thing I fear the government benches have forgotten is that the parents in Erie-Lincoln who send their kids to Christian or independent schools pay their full share of taxes into the public system. On top of that, because they believe in faith-based education, believe in this approach, they pay tuition. They aren't asking us to cover the whole thing but just to treat them with the dignity and respect they deserve.

These are folks of modest means. You're not going to see any Cadillacs in the parking lot of Wellandport Christian school—hardworking middle-class and lower-middle-class families that want choice in education.

What makes it very unfortunate as well is that the government has chosen not only to end the equity in education tax credit but to make it retroactive to January 1, 2003. The other taxes that they're going to raise begin January 1 of next year, but they're making this retroactive. It's not only wrong but mean-spirited, cruel, punitive. It's the wrong thing to do, and I ask members on that side of the floor to vote with me and vote against this bad idea.

### HIGHWAY ACCIDENT

**Ms Monique Smith (Nipissing):** I rise today with great sadness. Last night a tragic accident took place near South River, a community adjacent to my riding. A father and his four children from my riding were killed when their car hit a tractor-trailer travelling on Highway 11. Two other vehicles were also involved in this accident. It was a snowy night on Highway 11 last night. It was a tragic night.

My heart and the hearts of all the members here today, I'm sure, go out to this family and their loved ones. Our thoughts and prayers are with them.

Tragedies like this remind us about what is really important. They remind us how fleeting this life can be and how painful, how complete, a loss like this really is. After hearing a story like this, we all want to hold our family and friends close. Tragedies like this drive home to us that we must cherish every moment with those we love and make the most of our time in this world.

As we begin the sometimes dangerous winter driving season, such tragedies also remind us that we must continue to move forward with much-needed safety improvements to our highways across the province, and specially in the north, to prevent a tragedy like this from ever happening again.

Again, our thoughts and prayers are with the family and friends of this family at this incredibly difficult time.

### LIBERAL CAMPAIGN PROMISES

**Mr Michael Prue (Beaches-East York):** Have many of you been to the video store lately? You can't buy original-release movies any more. You now have to buy special editions called "the director's cut." They are releases that splice in new scenes that didn't make the original and splice out others that shouldn't have been there in the first place.

But, friends, these collector's items aren't just at the movies any more. Broken-promise Premier Dalton McGuinty and the Liberals are in on the film act too. Their new film is Choose Change: The Premier's Cut. Gone is McGuinty's election commitment to reinvest in our essential public services. Where McGuinty once said, "The Harris-Eves government tried to paper over problems by ... cutting public services ... such as education, health care, water and food inspection. It's time for a change," that scene is now on the cutting room floor. There's a new vision from the Premier, and it is, "Ontario's new Liberal government is preparing to reduce provincial spending by up to \$4 billion."

The reviews are in, and everybody has given it two thumbs down. According to TD Economics, making cuts that deep would mean freezing health and education spending at current levels and cutting all other public services by 20%. The cuts will also mean 407-style toll roads, higher small business taxes and two-tier drug plans for seniors.

**The Speaker (Hon Alvin Curling):** Thank you.

**Hon George Smitherman (Minister of Health and Long-Term Care):** On a point of order, Mr Speaker: Today is World AIDS Day. I'd like to seek unanimous consent for members to wear a red ribbon in solidarity with the 40 million people worldwide with HIV and AIDS.

**The Speaker:** Could I just ask: We've got one more member's statement, if we can do that.

**Mr Jim Flaherty (Whitby-Ajax):** My statement is about promises. In this case, for this government, that means broken promises, promises made to get votes and then not kept.

We're fortunate to have the list compiled by Lorrie Goldstein, the editor of the Toronto Sun, of the 231 promises made by the McGuinty government. For those of you keeping score, have a look at numbers 5, 47, 50, 51, 65, 69, 70, 71, 167, 151 and 154, all of which have been broken.

Then there's the whopper promise—and yes, it's still on the Web site—that says, "Ontario workers and their families already pay enough. We will hold the line on your taxes." They are still saying that. That's the big whopper promise.

This is the old style of politics: You say one thing to try to get elected; you do another after you get elected. But there is nothing new under the sun. There was a radio show many years ago in which the star was known for his penchant for tall tales. That star was named Fibber McGee. Now in Ontario we have our own teller of tall tales, the Liberals' own Fibber McGuinty. You're off to a



great start, Fibber. We know you can do it; we know you can break most of those promises. Go get 'em, Fibber.

**The Speaker:** May I caution members: We keep using language that is not parliamentary, and I hope that we can refrain from doing that in the future. Whether it was written in the newspaper or wherever it was written, it is unparliamentary to use some of the comments that I am hearing today.

#### WEARING OF RIBBONS

**Hon George Smitherman (Minister of Health and Long-Term Care):** On a point of order, Mr Speaker: December 1 marks World AIDS Day, and I seek unanimous consent to allow members to wear the red ribbon in solidarity with the 40 million people worldwide suffering from HIV and AIDS.

**The Speaker (Hon Alvin Curling):** Again, before I ask unanimous consent, I would also ask members, if you're asking for unanimous consent for wearing any kind of plaques or ribbons or so, could you not wear them before you ask, but ask and then wear them.

Do we have unanimous consent to wear the red ribbons in the House today? I think we have agreement here.

1350

#### VISITORS

**The Speaker (Hon Alvin Curling):** We have today in the gallery a parliamentary delegation from the Ukraine. Please join us in welcoming our distinguished guests.

Also in the Speaker's gallery we have Yuri Shymko, who is a former member for High Park-Swansea, and Leo Jordan, the previous member for Lanark-Renfrew.

**Mr Cameron Jackson (Burlington):** On a point of order, Mr Speaker: If I might just offer a suggestion to correct the record, the reference to people coming from "the Ukraine" is not the kind of imagery we'd like to convey to our special guests. Ukraine is a country. It's the same as saying people come from "the Canada."

It was defined by the Russians as a region—

*Interjection.*

**Mr Jackson:** —you might learn something, Mr Treasurer—to depersonalize the people of Ukraine. As one who traces his ancestry to Ukraine and one who's very proud of that, they are a country, and incidentally the first country in the world to recognize the state of Israel. So I would appreciate—and I apologize, Mr Speaker—if we could just change the record.

**The Speaker:** Thank you very much for the information. Of course I've learned something today, like we all have, I presume.

**Mr Tim Peterson (Mississauga South):** On a point of order, Mr Speaker: It was reported in the press on Saturday that I did not attend, on behalf of Mississauga South, the federal-provincial conference on the GTA. I would just like to have that corrected.

**The Speaker:** I'm sorry. That's not a point of order.

*Interjections.*

**The Speaker:** Order.

#### INTRODUCTION OF BILLS

PIERRE ELLIOTT TRUDEAU  
HIGHWAY ACT, 2003

LOI DE 2003 SUR L'AUTOROUTE  
PIERRE ELLIOTT TRUDEAU

Mr Lalonde moved first reading of the following bill:

Bill 10, An Act to amend the Public Transportation and Highway Improvement Act to name Highway 417 the Pierre Elliott Trudeau Highway / Projet de loi 10, Loi modifiant la Loi sur l'aménagement des voies publiques et des transports en commun afin de nommer l'autoroute 417 Autoroute Pierre Elliott Trudeau.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

Those against, say "nay."

I think the ayes have got it. Carried.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** Pierre Elliott Trudeau became a member of Parliament, representing the Montreal riding of Mont-Royal, in 1965, and in 1967 was appointed Minister of Justice. He was Prime Minister from April 20, 1968, until June 4, 1979, and from March 30, 1980, until June 30, 1984.

The commencement and completion of Highway 417 took place during Pierre Trudeau's tenure as Prime Minister of Canada. During his time in office, Mr Trudeau spent countless hours on Highway 417, travelling to and from his private residence.

Pierre Elliott Trudeau a été nommé la plus grande vedette de l'actualité du 20<sup>e</sup> siècle au Canada en décembre 1999 et sera toujours reconnu pour l'appui précieux qu'il a apporté à la promotion de la démocratie de ce pays et à l'étranger.

Nommer l'autoroute 417 en l'honneur de Pierre Elliott Trudeau rendrait hommage non seulement à son apport et à son dévouement envers cette grande autoroute qui relie l'Ontario et le Québec, mais reconnaîtrait également l'effort de développement d'un pays qu'il a légué au Canada.

MICHAEL MAXWELL ACT  
(HEALTH INSURANCE  
AMENDMENT), 2003

LOI MICHAEL MAXWELL DE 2003  
MODIFIANT LA LOI  
SUR L'ASSURANCE-SANTÉ

Ms Martel moved first reading of the following bill:

Bill 11, An Act, in memory of Michael Maxwell, to amend the Health Insurance Act to provide for immunization against meningitis C / Projet de loi 11, Loi à la mémoire de Michael Maxwell modifiant la Loi sur l'assurance-santé afin de prévoir une immunisation contre la méningite C.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Ms Shelley Martel (Nickel Belt):** This is the third time I've introduced this bill in memory of 17-year-old Michael Maxwell, an Ingersoll teen who died in March 2002, 29 hours after he contracted meningitis C.

If passed, the bill would ensure that vaccinations for meningitis C would be included in the routine immunization program currently available for Ontario families. It would mean that no Ontario infant, child or youth would be unable to get this vaccination merely because of its prohibitive cost.

The provinces of Alberta and Quebec already have the meningitis C vaccination included in their routine immunization programs. It's time for Ontario to do the same. No other family like the Maxwell family of Ingersoll or families in Sudbury this fall should ever again have to face the grief and tragedy associated with this disease.

## LEGISLATIVE INTERNS

**The Speaker (Hon Alvin Curling):** May I just take the opportunity to introduce, in the Speaker's gallery, the 2003-04 Ontario legislative interns. We have Michael Acedo, Sarah Baker, Holly Bondy, Melanie Francis, Amanda Mayer, Kate Mulligan, David Myles and Chris Shantz-Smiley. Would all members please join me in welcoming our interns.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### MINIMUM WAGE

**Hon Christopher Bentley (Minister of Labour):** I am very pleased to announce to the members of this Legislature that after almost nine long years, minimum wage earners in Ontario are finally getting a raise.

Effective February 1, 2004, the general minimum wage for Ontario workers will increase from \$6.85 to \$7.15 per hour. But that is not all, Mr Speaker. The minimum wage will increase every year on February 1, until it reaches \$8 an hour on February 1, 2007.

1400

Today we keep our commitment to deliver positive change to the people of Ontario by announcing that we will raise the minimum wage to \$8 an hour over four years. Today we are taking an important step to help the less fortunate.

Our government is committed to fair, balanced and progressive policies for Ontario workers and employers. These increases mark the end to almost nine years where the most vulnerable workers in Ontario did not get their fair share of Ontario's economic growth. While Canada and Ontario prospered, minimum wage earners lost

ground as they saw the cost of living rise and average wages rise while their wages remained frozen.

By phasing in this increase over four years, the government is balancing the needs of Ontario's low-income workers who need this most with the needs of Ontario's businesses to be competitive.

This increase will also apply to Ontario's other minimum wages. For example, the minimum wage for students under 18 who do not work more than 28 hours a week will rise from \$6.40 to \$6.70 an hour. The minimum wage for liquor servers will also rise, from \$5.95 an hour to \$6.20 an hour.

The increase in the minimum wage will give a boost to a large number of low-income workers. In the year 2000, there were an estimated 680,000 wage earners in Ontario who earned between the liquor server's wage of \$5.95 and \$8 an hour. They represent approximately 11% of the workers employed in Ontario in the year 2000.

Our government recognizes the challenges faced by business, and in particular small business. Phasing in the minimum wage over a four-year period is a reasonable, responsible approach. Businesses affected will know their costs in advance and be able to factor these into their business plans. This phase-in will keep Ontario businesses competitive with other Canadian and American jurisdictions. This approach will help keep vulnerable workers from falling further behind the rest of Ontario workers and give them some share in the benefits of Ontario's economic growth while balancing the need to keep Ontario businesses financially stable and competitive. And providing minimum wage earners with this additional money will increase consumer spending and give a boost to local economies. This will contribute to the economic well-being of Ontario.

In conclusion, increasing the minimum wage is another important, positive commitment kept by our government. It is good news for low-income earners who will finally get a pay increase after almost nine long years of waiting. They will continue to see their wages rise until they reach \$8 an hour in February 2007. This is fair, it is reasonable, it is responsible, and it is the right thing to do.

### MEAT INSPECTION

**Hon Steve Peters (Minister of Agriculture and Food):** Today I'd like to inform members of the House of a very important step this government has taken to enhance food safety in this province. This government is following through on our commitment to real, positive change for Ontario by hiring more full-time meat inspectors.

We will be recruiting experts to the public service who can deliver high-quality inspection services to respond to public concerns over the safety of our meat. In doing this, we will bolster business confidence in buyers and retailers of Ontario meat products.

We said we would do it, and we are doing it. In November, this government began working with the On-



tario Public Service Employees Union to resolve a long-standing dispute on the delivery of meat inspection services. In less than two weeks, we had an agreement. By the spring of 2004, the Ministry of Agriculture and Food intends to hire 61 full-time and 57 part-time meat inspectors. With 10 full-time inspectors already on board, this means there will be a total of 128 meat inspectors working as ministry employees. I have asked ministry staff to make the implementation of this settlement a priority. That is a commitment, that is taking action, and that's the right thing to do.

The people of Ontario deserve a safe food supply. Their confidence in our agri-food industry is critical, and we will see that Ontario's food inspection system becomes one of the world's best.

**The Speaker (Hon Alvin Curling):** Responses?

**Mr Ernie Hardeman (Oxford):** I want to commend the minister for the announcement that shows they care and want to make sure that the people of the province of Ontario are confident that we have the safest food. I just wish he had come up with a solution that would have made a difference in that confidence for the people of Ontario.

The announcement the minister is making today is that he is going to change the status of our present meat inspectors. He's indicating that they're going to hire a lot more qualified people. I would like to say that the people who have been inspecting the meat in this province for the last 10 years are very qualified. That's why I think it's great when the London Free Press says the minister is going to hire those people as OPS employees to continue inspecting our meat and do a quality job—the same people who are presently doing it. I want to commend them for making that choice.

I suppose I could say that's the first time the members opposite are actually keeping a promise they made. I just wish he'd kept the other promise that he was going to have a public inquiry into the meat inspection system so the people of Ontario would know that the concern that exists in our meat system is not the inspection of the meat abattoirs that are operating under licence from the provincial ministry, but in fact it's to do with the people who are slaughtering cattle and not having them inspected. We need more enforcement to make sure that no one is putting meat on our market that shouldn't be there. The minister doesn't even speak to that. He implies with his announcement today that somehow, by paying more for the same service, it will make the meat safer. I totally disagree with that premise.

I just wish the minister was as forthcoming with some of the other things on behalf of our agriculture community, such as ensuring that hydro rates would stay capped until 2006 so they can afford to produce the safe food that is going to the abattoirs; such as saying that the first point of contact for nutrient management would stay with the Ministry of Agriculture and Food, where our farmers have assured us and the minister it should stay. I just wish he had kept some of the commitments he made in his election promises and some of the commitments he

made publicly to the farmers when he was first appointed, as opposed to working out a deal with our OPS services and just putting our contract workers back into the union fold.

## MINIMUM WAGE

**Mr Ted Chudleigh (Halton):** With regard to the minimum wage, over the past eight years the taxes people have paid in this province have continued to fall, giving low-income Ontarians more take-home pay in their pocket. That has also resulted in taking over 870,000 people off the tax rolls in Ontario—people who no longer paid taxes in Ontario. Even though they were on minimum wage, they were not paying taxes.

Bill 2, the infamous tax bill being introduced to this House, the Fiscal Responsibility Act—anything but responsible—is the largest tax hike in Ontario's history, adding \$4.4 billion to the taxes this government will bring in over the next few years. Those people who were taken off the tax rolls will be added back on, so minimum wage earners who were once off the tax rolls will now be back on. The net result will be that they will pay about \$100 a year more in taxes than they did last year, because of the increase in the minimum wage and because of the increase in taxes that the Fiscal Responsibility Act is going to introduce in this province.

It is typical Liberal policy, where Mr Bentley giveth and Mr Sorbara taketh away.

1410

**Mr John R. Baird (Nepean-Carleton):** As finance critic, I am equally concerned about this. What Chris giveth, Greg taketh away. While they will increase the minimum wage and give some money with one hand, Mr Sorbara will be in their pockets with the other. He'll probably make money on this regime.

One of the big accomplishments of the previous government was that we took literally hundreds of thousands of low-income and working families off the tax rolls. Thousands of them continued to pay federal tax but paid no provincial income tax whatsoever.

The most outrageous thing is that in Bill 2, in that bill specifically, the Liberals have singled out low-income earners to be hit as taxpayers. Their bill specifically highlights the lowest income tax bracket, which is outrageous, and it's wrong.

**Mr Howard Hampton (Kenora-Rainy River):** On a point of order, Mr Speaker: I ask for unanimous consent to respond to the government's announcements today.

**The Speaker (Hon Alvin Curling):** The member for Kenora-Rainy River asks for unanimous consent for up to five minutes. Agreed? Agreed.

**Mr Hampton:** First of all, with respect to the minimum wage, it's important to note that what we're really seeing here today is about a 4% increase in the minimum wage, if you compound it. If the minimum wage had been increased by 2% in 1996 and 2% in 1997, this is the level that it would have been at. A very modest 2% increase in 1996 and 1997 would have put the minimum

wage at about \$7.15 an hour. Liberals want you to celebrate that they have now increased the minimum wage to the level that it would have been at in 1997. What this means for the lowest-paid workers, what this means for all those workers who have had their wages frozen, is not very much.

In contrast, let me point out that in the year 2000 StatsCan set the poverty line at \$18,371 for a single person living in a big city. Earning \$7.15 an hour, a person working 40 hours a week, 52 weeks a year will get \$14,872. They'll be \$3,000 below the poverty line. Liberals want you to celebrate that.

Since 1995, inflation has soared 20%; water, fuel and electricity costs are up by 30%; food prices by 14%; and Ontario rents rose, on average, 26%. Liberals want the lowest-paid workers to be happy with a 4% increase in the minimum wage. The minimum wage should be increased to \$8 an hour now, with annual increments to follow. That would be a fair minimum wage.

I want to point out to the Minister of Labour that I've heard some of your backbenchers already saying that it's only students who work for the minimum wage. Nonsense. Some 63% of the people who work for minimum wage are women: women who are trying to pay their rent, put food on the table and keep clothes on the backs of their children. And you tell them, after all these increases in costs, that they should be happy with a 4% increase in the minimum wage.

Your government would have received this report from the Ontario Association of Interval and Transition Houses. What does it say? It says that poverty traps women and children. This is not going to do anything for them.

I want you to note that it's not often that I acknowledge that the Conservatives are right, but at the same time that you're giving this minuscule increase in the minimum wage, your colleague the Minister of Finance is in fact increasing taxes on those very lowest-paid workers, and your colleague the Minister of Energy, despite all your promises, is going to increase electricity rates by over 10% for those same people. You're not going to provide any more money. You made an announcement today, but the Minister of Finance and the Minister of Energy are going to make sure that all of that money is taken very quickly, either through the tax bill or through the hydro bill. Eight dollars an hour now, not 1997 minimum wage levels.

## MEAT INSPECTION

**Mr Howard Hampton (Kenora-Rainy River):** To the Minister of Agriculture and Food: I listened during the election to Liberals who said there needed to be a public inquiry into Ontario's tainted meat scandal to assure the public that this was not going on in other places or that it was not happening on an ongoing basis. What happened to that promise? What happened to the promise of a public inquiry?

What we're getting instead is an internal review by some of the officials who in fact stood by as tainted meat

episode after tainted meat episode happened at Aylmer Meat Packers in your own riding. So the very people who stood there and gave Aylmer Meat Packers a tentative slap on the wrist as they processed tainted meat, as they processed dead stock, are now going to conduct an internal review, and you're going to tell the people of Ontario that that's acceptable.

It goes to the fundamentals of living in a healthy and safe society that people are able to depend upon the meat that is processed and that they eat. Already you're breaking another promise. Where is the public inquiry? Where is the independence that is going to take the review out of the hands of the very officials who watched while this went wrong?

## ORAL QUESTIONS

### BALANCED BUDGET LEGISLATION

**Mr Ernie Eves (Leader of the Opposition):** Mr Premier, on September 11 during the recent election campaign, you signed a pledge, witnessed by John Williamson, promising to abide by and respect the current taxpayer protection and balanced budget law. Do you intend to keep that promise?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I want to thank the Leader of the Opposition for the question and I want to remind the Leader of the Opposition that he heads a party that maintained throughout the course of one entire election that there was no deficit. He maintained that he was not in contravention of the balanced budget legislation. The fact of the matter is you were hiding a \$5.6-billion deficit. If anybody has made the case for us to have a stronger piece of balanced budget legislation in Ontario, it is the Leader of the Opposition.

**Interjection:** Just say you're sorry

**The Speaker (Hon Alvin Curling):** The question was asked. I'd like quiet when the response is being given. Give the same respect.

**Mr Eves:** Perhaps the Premier would like to try to actually respond to the question being asked.

**Interjection.**

**Mr Eves:** I was quite popular with him when he was on this side of the House, as I recall.

Your quote is, "We will live by the balanced budget law." Yet in Ottawa on Friday, November 21, you said with reference to the same balanced budget law that you committed to during the campaign, "It's having at present in its existing form a perverse effect upon government." You indicated that you'd instruct your Minister of Finance to come up with the "next generation of balanced budget legislation"—it tied the hands of your government and you couldn't do what you wanted to do. "That thinking doesn't quite jibe with what we're told on the election campaign trail," Mr Williamson said. Mr Premier, which Dalton McGuinty should we listen to, the one on November 21 in Ottawa or the one who signed the pledge



and led the voters to believe you would actually comply with balanced budget and taxpayer legislation?

**Hon Mr McGuinty:** We think it's important to be truthful with Ontarians when it comes to the state of the accounts. You maintained that there was zero deficit. You maintained that the books were balanced. Mr Peters produced an independent report, and he tells us that you were hiding a \$5.6-billion deficit. He tells us that revenues were in fact \$4.4 billion lower than you claimed they were. He said that expenditures were \$1.5 billion higher than you claimed they were. We intend to bring forward a new generation of balanced budget legislation that makes it clear to the people of Ontario exactly what the state of the books is.

1420

**Mr Eves:** I know it's difficult for you to answer a question, but try to answer the question being asked. That's the whole purpose of question period.

*Laughter.*

**Mr Eves:** I see they haven't lost their supply of sardines over there.

Another quote from John Williamson this past Friday—he was on CFRB in Toronto: “I mean, the people of Ontario expect the Premier and his government to balance the books. He promised them. He put it in writing. So you know, we're happy to have his signature, because if he breaks it, it's a clear indication that he misled voters.” Mr Williamson's words, not mine.

On the other hand, on your Web site today, as we speak, it says, “We will live by the balanced budget law. We support and voted for Ontario's balanced budget law.”

Which Premier are we to believe—the one on November 22 or the one today, who right now, as of this moment in time, still says on his Web site he's going to balance the books of the province?

**Hon Mr McGuinty:** I say to the Leader of the Opposition, our legislation is going to put a stop to the kind of games that he and the former government played for eight long years.

I want to commend to the Leader of the Opposition the report produced by Mr Peters. Among other things, he says, “Although the March 2003 budget”—that is the auto parts budget—“provided for a gain, for example, on asset sales and rentals of \$2.2 billion, there has been only one major” asset “sale to date ... at an estimated gain of \$132 million.”

You talked about \$2.2 billion. He said there's only \$132 million.

He goes on to say that the March 2003 budget included unspecified savings of \$500 million from program review and evaluation and \$300 million from a year-end savings target, again without identifying those particular savings.

What we're trying to do, I say to the Leader of the Opposition, is put an end to these—

**The Speaker:** Thank you.

## PROVINCIAL DEFICIT

**Mr Ernie Eves (Leader of the Opposition):** To the Premier of the province: Premier, you indicated throughout the course of the campaign as well that you were going to move as aggressively as you possibly could on all of your commitments, that you had a fully costed four-year plan independently verified and certified. Part of that plan was to deal immediately with a \$2-billion deficit and that you could, the next morning at 9 o'clock, cut \$2 billion worth of spending. Could you please identify what that \$2 billion, fully costed and independently audited, contains and how quickly you're moving on it?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I say to the Leader of the Opposition, he missed Bill 2. It is moving forward in a very aggressive and progressive way to deal with your \$5.6-billion deficit.

There's no doubt about it, I say to the Leader of the Opposition, that we're bringing a different approach to dealing with the Tory deficit than the Tories did with respect to the NDP deficit.

Let me give you a few examples. You cut water inspectors; you cut welfare rates; you even went so far as to cut out a nutrition allowance for expectant mothers on welfare. What we've decided to do is to roll back your irresponsible corporate tax cut. You took \$2 billion out of our children's schools. What we've decided to do is cancel the private school tax credit. So there's no doubt about it whatsoever, I say to the Leader of the Opposition: We are bringing a different approach, a progressive approach, a responsible approach to dealing with his deficit.

**Mr Eves:** As a supplementary, you were quoted as saying, “What we are going to do is we're going to engage the people of Ontario in a very important discussion and we are going to consider some ideas, which to this point in time might have been on the list of unmentionables, the things that might be unthinkable.”

Could you tell us exactly what those unmentionable and unthinkable things are, and do they happen to include raising taxes?

**Hon Mr McGuinty:** Let me tell you what we're not going to do. We're not going to open the door wide to sweeping privatization of health care in the province of Ontario. What we've done in the face of creeping privatization is slam that door shut with our Commitment to the Future of Medicare Act.

I can also tell the Leader of the Opposition that while he allowed tuition fees to skyrocket by as much as 300% in some cases, we are freezing tuition in the province of Ontario. That's a good idea, I say to the Leader of the Opposition, of how we intend to proceed in the face of your deficit.

**Mr Eves:** Late last week, senior officials in your government indicated to various members of the media that they're preparing to reduce spending by up to \$4 billion a year—a task, they say, that includes eliminating free

drugs for seniors, allowing more privately built toll roads and cancelling of tax incentives. Could you confirm that that is, in fact, what you are considering?

**Hon Mr McGuinty:** I'm going to tell the Leader of the Opposition that I'm not going to indulge in speculation, but I will tell the people of Ontario that we are not going to approach this deficit, the Tory deficit, the way that you approached the NDP deficit. We will not be cutting back on welfare rates in the province of Ontario. We will not be cutting out the nutrition allowance for expectant mothers in the province of Ontario.

What we will do instead is roll back your irresponsible corporate tax cut. We will not go ahead with the private school tax credit. What we're going to do is bring about real, positive, lasting change for the people of Ontario. We'll do it in a progressive way. We'll be up front with the people of Ontario. We will not, as you did, hide that \$5.6-billion deficit.

**The Speaker (Hon Alvin Curling):** New question?

**Mr John R. Baird (Nepean-Carleton):** My question is, again, to the Premier. It's a serious question and an important one. I think you should put aside the notes from your spin doctors, listen to the question and provide an answer.

During and after the election campaign, you said, "We've accounted for a \$2-billion deficit." You also said, "We've also built in a \$1-billion reserve and we've been given very clear instructions from the people of Ontario and we will abide by those instructions." Your words.

Will you stand in your place and tell us: What have you done with this \$3 billion, or is this just another billion-dollar Liberal boondoggle?

**Hon Mr McGuinty:** This is just too rich. We're being cross-examined by the members of the official opposition, who, throughout an entire campaign period, maintained straight-faced to the people of Ontario that the books were balanced when, at the end of the day, we discovered a \$5.6-billion deficit. They have no legitimacy, no grounds whatsoever, to ask these kinds of questions when they themselves hid from full view of the people of Ontario a \$5.6-billion deficit.

**Mr Baird:** This is the man who said to Paula Todd on TVO, "Don't worry. We've accounted for a \$2-billion deficit." This is a Premier whose own Minister of Energy said just last week, "In fact our campaign document provided for a \$2-billion ... deficit, which we felt was manageable." Now is the time for this Premier to manage.

Let's look at his own economist, who certified and verified the Liberal plan: "What I did was enough to turn a \$2-billion deficit into a zero. Arguably, it could turn a five [billion-dollar deficit] into a three."

Again, on behalf of the people in Nepean-Carleton, on behalf of taxpayers across Ontario, would you stand in your place and tell us what happened to this \$3 billion that you said was manageable, that you said you could handle?

**Hon Mr McGuinty:** Again, I say to the member opposite, if he missed it, I'd commend to his reading Bill 2. Bill 2 is aggressive, it is progressive, it will get the job done, in terms of getting us about halfway to dealing with your \$5.6-billion deficit.

As we move forward, we're going to do something which you and the members of your party refused to do: We're going to be up front with the people of Ontario. We're not going to play games when it comes to dealing with the numbers. We will not saddle them with a \$5.6-billion deficit.

1430

### BECK 3 GENERATING FACILITY

**Mr Kim Craiton (Niagara Falls):** First, I want to say that not only is Niagara Falls one of the most popular tourist attractions in the world, but Niagara Falls is also the centre of hydroelectricity generation for all of Ontario and a large part of the United States.

I'm pleased to be part of the Liberal government. It has taken a keen interest in hydro issues we are currently facing in Ontario.

My question is directed to the Minister of Energy. Minister, the Liberal platform contained expanding the hydroelectric generation in Niagara Falls. Would you please give this House an update on the planned expansion for Beck 3?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** To my colleague from Niagara Falls, I want first to congratulate him on raising this issue with me within two days of being elected and being on top of it.

We believe that Beck 3 poses a huge opportunity for increased supply. I say to the member opposite, this will be among the first new energy supply in 13 long and painful years, something that was ignored by two previous governments. I say to the member and to his community, thanks to your efforts and the efforts of your community, be assured that Dalton McGuinty and this government are going to proceed with that grid.

**Mr Craiton:** My supplementary question to the minister is that Beck 3 means not only expanding the generation of hydro to energy consumers in Ontario, but also hundreds of jobs in Niagara Falls and a boost to our local economy. Minister, will you give the residents of my riding in Niagara Falls a timeline on how this government will proceed with the expansion of Beck 3?

**Hon Mr Duncan:** To the member for Niagara Falls, thank you for a very pertinent and important question. I will be receiving, early in 2004, a report on moving forward with this. I expect that after reviewing the results of the study, we will act both responsibly and, I can say to your community, swiftly.

Make no mistake: We are going to do more than just talk about supply, like the previous government did, a government that left our energy sector in tatters when it left office: no new supply, artificially low rates, no plan for dealing with OPG, no plan for correcting its own



problems, a government whose record was 11 flip-flops on the energy file.

The member for Niagara Falls has been fighting valiantly for this. He has the undertaking of this government and Premier McGuinty that Beck 3 will proceed in 2004, after receipt of the report we're going to get next month.

#### BALANCED BUDGET LEGISLATION

**Mr Frank Klees (Oak Ridges):** My question is to the Premier. During this election campaign, you ran on a platform of wanting to do government differently. You speak about introducing character legislation. Premier, there are students here listening. The public has been watching you for the last two weeks in this Legislature. You have not answered one question in a straightforward way. I'm going to give you another opportunity.

Last Monday, your finance minister introduced legislation in this House called the Fiscal Responsibility Act. You're proposing to do two things through that act: one is that you're imposing, retroactively, a financial burden on the hard-working families of some 110,000 students in this province who attend independent schools; second, you are breaking a promise to the people of this province that you will not raise taxes for working families. Will you do one honourable thing today? Will you admit that you broke a major promise to the people of this province and that you are contravening the Taxpayer Protection Act by introducing this legislation?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The people of Ontario know that we ran on those very commitments and we're honouring those commitments.

Let me tell them something else. Let me draw what we did just a few moments ago in this House to the member's attention, because I'm very proud of that as well. We are increasing the minimum wage from \$6.85 an hour to \$8 an hour. There are close to 700,000 minimum wage workers in the province of Ontario, people who get up in the morning and do their very best to cobble together some kind of living. What we've said is that we're going to help them; we're going to raise the minimum wage from \$6.85 to \$8 an hour. We are proud of that commitment and that's why we're moving ahead with it.

**Mr Klees:** Well, it appears clear that the Premier is incapable of answering a straightforward question. He did not answer the question. I want to give the Premier one more opportunity to actually answer the question.

Speaker, you will be aware that an application was brought to the Ontario Supreme Court of Justice seeking an injunction against Bill 2. I want to quote to you from the words of the justice who rendered his comments on this: "Even if the facts upon which the charter breach is alleged....

"I have no hesitation in saying that there are clearly issues raised by application. Not only is the proper interpretation of the Taxpayer Protection Act, 1999

engaged, so also is the issue whether the election platform exception ought to have applied and, if so, whether the letter which Mr McGuinty sent to the Chief Election Officer complied with the requirements for that exception."

Will the Premier today admit that his commitment to the people of this province not to raise taxes for working families was breached and that Bill 2 breaches the Taxpayer Protection Act?

**Hon Mr McGuinty:** My understanding, to the member, is that that application for an injunction was in fact dismissed today. I also want to remind the member opposite that the only government that has ever violated the Ontario Taxpayer Protection Act was his government.

I want to remind the members opposite and the people of Ontario that we have an unwavering commitment to improving the quality of public education for all Ontario children. That's where that money's going to go from the private school tax credit: into our public schools.

#### OSTEOPOROSIS

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** My question is for the Minister of Health. I have some serious concerns about osteoporosis. It's a serious problem for many Ontarians, especially our seniors. It causes bone fractures. In fact, the disease affects one in four women and one in eight men over the age of 50, and 80% of those who have an initial bone fracture aren't checked out for osteoporosis—shamefully.

Given that hip fractures cost our health care system over a half-billion dollars a year and hospital stays are four times longer than normal hospital stays, what can you tell us today, Minister, that your ministry is prepared to do to assist our seniors to combat this dreadful circumstance?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I'd like to thank the member for Ancaster-Dundas-Flamborough-Aldershot for his excellent question. Last week, many members from all parties had the opportunity to join the osteoporosis society of Ontario for breakfast, where we learned more about the potential benefits of investing in an osteoporosis strategy in Ontario. I'll note that the party opposite, when they were in government, reviewed, planned, considered, talked about and actually promised in their budget of 2003 that they would fund such a study, and yet when I look in the budget of the Ministry of Health, I see no such funds.

I commit to the honourable member that I will have a meeting with the osteoporosis society early in the new year and we'll get started on the work of putting in place a plan that will see preventive health in place and prevent hardship to many Ontarians as well as, obviously, saving our health care system precious dollars.

**Mr McMeekin:** Minister, I know the osteoporosis association was really pleased that you took the time to come out to the breakfast and hear the concerns. I also know that a detailed plan, prepared in consultation with

stakeholders and outlining some 18 different strategies, has been sitting on a shelf for some time. Some important actions are outlined there, including a cost-benefit analysis of the various options.

I appreciate the fact that you've covenanted to meet with this group. When do you think we might hear something specific about when we'll move forward with the plan that's been outlined?

**Hon Mr Smitherman:** Thank you very much again to the member. I'm happy to acknowledge that a lot of work has been done on this. We have one of those opportunities to seize upon work that has been done and begin to make a difference in the lives of Ontarians.

I commit to the member, as I said earlier, that I'll be working with this group early in the new year. With our fiscal circumstances in mind, I'll be fighting hard to try to make sure that a preventive investment like this is the kind of high-priority investment that we'd make as we move forward.

1440

#### ONTARIO DRUG BENEFIT PROGRAM

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** My question is for the Premier. You promised in your election platform that you were going to improve the Ontario drug benefit program for seniors. It now appears that you're getting set to break yet another promise and raise taxes for seniors. Imagine the shock on Friday when seniors woke up to find that you were considering imposing an income test or deleting some of the drugs for coverage or putting in place user fees. Can you guarantee seniors that you will not be reducing their access to drugs or putting in place an income test?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I want to thank the member for her question. The Minister of Finance has something to say on this file.

**Hon Greg Sorbara (Minister of Finance):** I tell my friend from Kitchener-Waterloo that we are determined to come to grips with the fiscal mess that they left in the previous budget. It was under her watch as Minister of Health that a significant deficit in hospital financing began to emerge. It now stands, as the Minister of Health will confirm, at \$800 million. But with all of that context, I want to tell her that while the National Post may indulge in speculation about seniors' health care, I certainly am not going to do that.

**Mrs Witmer:** You made a commitment to the people that you were going to improve the Ontario drug benefit program for seniors. Can you today guarantee that you will not impose income testing for seniors, decrease the number of drugs available or introduce user fees? It's simple: yes or no?

**Hon Mr Sorbara:** Within six weeks of taking office, we've reversed the Conservatives' plan for private hospitals, both in Ottawa and Brampton. We're dealing with their private health care clinics and MRI machines. We are determined and committed to ensure that the

seniors of this province are treated fairly and equitably and get the health care they deserve. They did not get that under the previous administration.

#### PROVINCIAL DEFICIT

**Mr Howard Hampton (Kenora-Rainy River):** I ask unanimous consent of all New Democrats to ask a question.

**The Speaker (Hon Alvin Curling):** Is there unanimous consent from all members of the House? Agreed.

**Mr Hampton:** My question is for the Premier. During the election, you promised to stop the Conservative cuts to health care and education. Four days before the election you said, "The Harris-Eves government tried to paper over problems ... by taking the easy route of cutting public services in vital areas, such as education, health care, water and food inspection. It's time for a change." But on Friday, your staff told CanWest news you're going to slash public investment by \$4 million, and that will mean cuts to health care and education on the front line.

Premier, I don't believe the people of Ontario got the version of the Liberal election platform that included cuts to health and education. Are your underlings misinformed or are you going to break yet another election promise?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The leader of the third party raises a very serious matter. We intend to bring a different approach with respect to how to deal with the Tory deficit. We're going to be very upfront in terms of the kinds of options we're going to place before the people of Ontario. We're not going to do what this government did when they hid the real state of financial affairs from the people of Ontario, and I am not going to engage in speculation and guessing games with respect to the contents of the next budget here in this Legislature.

**Mr Hampton:** Well, your staff didn't mind speculating with CanWest Global News, and some of your officials didn't mind speculating on cuts to health and education. And you didn't mind speculating during the election campaign about promises for health and education when your then finance critic said in June that there was a \$5-billion deficit and your now Minister of Public Security said in August that there was a \$5-billion deficit.

You knew there was a \$5-billion deficit, yet you went out and made 231 election promises. You promised \$1.6 billion for schools; you promised \$2.7 billion for health care. Tell Ontarians today: Will you deliver the money you promised to our schools, our hospitals and our environment, like you promised? Or are you going to break that promise, like you've broken several others?

**Hon Mr McGuinty:** To the leader of the third party, I'm not going to bring the approach that he brought, either when he was in government or during the course of the campaign. We are not going to engage in trying to nail Jell-O to the wall, and we're not going to spend our way out of this deficit in Ontario. We intend to bring a



balanced, responsible approach to dealing with this matter. We're not going to pretend that the \$5.6-billion deficit does not exist. We intend to proceed in a responsible manner and address the matter of the deficit and, at the same time, to bring about measurable improvement in our schools, in our health care, in the strength of our communities and the protections that we provide to our environment.

### WATER QUALITY

**Mrs Carol Mitchell (Huron-Bruce):** My question is for the Minister of the Environment. The people in my riding of Huron-Bruce want to know when they will be able to enjoy their lake again. This fall, public beaches were posted along a 40-kilometre section of Lake Huron. They were permanently unsafe for swimming because of 10 years of chronically high E coli bacteria levels.

Lake Huron is the world's third-largest lake and a major tourist destination. Its beaches, wildlife, nature and picturesque communities are the jewels of the Lake Huron shoreline in Huron and Bruce county. Lake Huron is also a source of drinking water for the people of Huron-Bruce. What will you do to reassure the people of Huron-Bruce that they will be able to once again enjoy their lake?

**Hon Leona Dombrowsky (Minister of the Environment):** I would like to thank the member of Huron-Bruce for her very good question. I'm happy to stand in the House today and say that ensuring clean, safe water is a top priority for this government. We agreed with Justice O'Connor that proper management of our drinking water must be a priority. This government will provide stronger, clearer and comprehensive rules to ensure a safe water supply. I am aware that representatives from the Ministry of the Environment did attend the meeting in Huron county, along with members of the health unit, to discuss the water quality issues, including the beaches. Ministry staff will continue to work with the health unit to address water quality issues in the area.

**Mrs Mitchell:** I am sure that the people of Huron-Bruce will be glad to hear that you are keeping a close eye on the situation. Let me remind you that Lake Huron is a natural resource, unique in the world as a source of fresh water. We have a responsibility to keep Lake Huron clean and safe for future generations. We have seen what an increase in E coli levels can do to a population. Neglect can only contaminate water bodies. How quickly will you act to fix this problem?

1450

**Hon Mrs Dombrowsky:** It is indeed unfortunate that members of the opposition are not interested in this answer, but I would suggest it reflects the same kind of interest they paid to this very important matter when they were government. This government's efforts to address water quality on Lake Huron are underway as we speak.

On November 26, my colleague Steve Peters and I announced that the Ministry of the Environment has assumed responsibility for compliance and enforcement

of the Nutrient Management Act. This fulfills recommendation number 11 of the O'Connor report; that was a commitment we made during the campaign.

Also, on November 14, 2003, I announced that the government was taking the first step in its strategy on source protection through the formation of two expert committees: a technical experts advisory committee and an implementation advisory committee. The work of these committees is critical to forming the development of a source protection program, including legislation needed in this province to ensure that our source water is protected.

### CLASS SIZE

**Mr Jim Flaherty (Whitby-Ajax):** My question is for the Premier. This is a handy reference document that I commend to the members opposite, from the Toronto Sun. The 231 election promises includes promise number 5: "We will put in place a real cap of 20 students per class in the all-important early grades, kindergarten to grade 3." Experienced educators in Ontario have said that this is bad public policy. In fact, Joseph Carnavale, the superintendent of the Toronto Catholic board—

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. I can't hear the member from Whitby-Ajax.

**Mr Flaherty:** Experienced educators have indicated that this is very bad public policy, particularly Joseph Carnavale, for example, the chair of the Toronto Catholic school board, who said, "The honest truth is that when you put it in practice, it means your child is going to be in a portable, going to have an uncertified teacher and, more likely than not, is going to be in a split-grade class."

Indeed, principals have told us that this takes away the discretion they need in operating our schools in Ontario. The Minister of Education has already started to move away from this promise. He's paved the way for you, Premier. Go ahead, Fibber, tell us when you're going to break this promise.

*Interjections.*

**Mr Dave Levac (Brant):** On a point of order, Mr Speaker: I would remind you of your reminder earlier in the House about using unparliamentary language, and I would ask the member to withdraw that statement.

**The Speaker:** I didn't hear the member because of the noise that is going on, but if the member said anything unparliamentary, I'd ask him to withdraw.

**Mr Flaherty:** If I said something unparliamentary, I would do so.

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I know the Minister of Education is anxious to speak to this matter.

**Hon Gerard Kennedy (Minister of Education):** I hear from the member opposite his interest in stopping kids in this province from having the advantage of being in smaller class sizes. While he was in government and while he chaired an education policy committee, they did increase class size. They did make it easier for kids to get

lost in the classroom, to not get the individual attention. We see that we don't have the literacy and numeracy results we should have, partly as a result.

In BC, they've moved ahead. In Quebec, they've moved ahead. In all kinds of jurisdictions, in no less than 22 states in the US, they've moved ahead. In this province, we've allowed ourselves to fall behind. We will be moving ahead on class size. We hear the advice from the member opposite as the kind that would hold children in this jurisdiction back, not move them forward the way they're supposed to.

**Mr Flaherty:** This is not about the children in our schools. What do you do with the 21st child? Put him out in a portable? Put her in another school? This is what it means in practice. It is about satisfying the commitments made to unions by the members opposite during the election.

Today's Minister of Education said this about promise number 5: "We've costed it very carefully. We have money allocated. It's very doable, but even more important, it's necessary"—from the Minister of Education. So I ask him in this House, "We've costed it very carefully," you say? How much? Produce the costing for the members of this House to see. Second, "We have money allocated." How much have you allocated? Thirdly, how much are you going to raise taxes, and which taxes in the province of Ontario, to pay for this dumb promise?

**Hon Mr Kennedy:** Had we not seen the behaviour of this government, people would wonder, "What has he got against the kids of this province doing well in public schools?" The only students the member opposite has stood up to defend are those in exclusive private schools. We cannot hear, on his behalf, what the principals of this province have agreed, what the parents of this province have agreed, what the school boards of this province have agreed and in fact what several of the business associations of this province have agreed, which is that we need to advantage our kids in this province. We have to stop falling behind. We have to have the best public education in the world.

I would advise the member opposite to look at our platform, where it's all carefully costed. There in black and white are not just the results we want to achieve but the cost of them. For the member opposite to say that \$500 million should be diverted from those kids into private schools shows us again why he is sitting in the seat he has today.

#### MINIMUM WAGE

**Mr Michael A. Brown (Algoma-Manitoulin):** My question is for the Minister of Labour. For nearly nine years the minimum wage workers of this province have been waiting for a raise. During that period, inflation increased by approximately 15%. Most other workers in this province saw their wages increase by that amount. During that same period, however, minimum wage workers saw their incomes stagnate during some of the

most robust economic years of the 20th century. Minister, you have announced the first step toward addressing this injustice: On February 1, our workers will finally get a raise.

There is a concern, however, that businesses will not be able to afford the minimum wage increase and that this will lead to job losses and higher unemployment. What do you plan to do to ensure that this does not happen?

**Hon Christopher Bentley (Minister of Labour):** I'd like to thank the member for Algoma-Manitoulin for his very important question and for his concern about businesses in the province and the need to remain competitive.

Today we've announced real, positive change for the people of Ontario. For the first time in nine years, the minimum wage is being increased, and it will continue to increase to fulfill our campaign commitment of \$8 an hour. Today we are going to help. We have announced a program to help the lowest-paid, most vulnerable workers in the province. We are going to deliver on the commitment we made during the campaign, and we are going to do it in a fair, responsible and balanced way by phasing in the increases to make sure that businesses have time to adjust. That's our commitment: a fair, reasonable and responsible program.

**Mr Brown:** Minister, I'm pleased to hear you are committed to justice for minimum wage earners while keeping the needs of industry and the economy in mind.

Raising the minimum wage from \$6.85 to \$7.15 is an excellent first step. However, we must not forget that other minimum wage earners besides those earning \$6.85 per hour exist. Liquor servers currently earn \$5.95 an hour, while students earn only \$6.40 an hour. Many people also work as hunting and fishing guides, and they are currently paid a minimum of \$34.25 for up to five hours of work and \$68.50 for five hours or more. They too need a raise. It would be unfair to increase one group's wages while leaving the others behind. Can you tell us what you will do for those other minimum wage earners?

**Hon Mr Bentley:** Of course the member is absolutely right: It has been nine long years that all those groups of workers have been neglected by the previous government, and we're going to fix that.

There are not just hunting and fishing guides that we're concerned about; there are home workers and liquor servers, who are more prevalent in my riding of London West. Let me tell you what we're going to be doing to fix the injustice that has been effected. First of all, the student rate will rise from \$6.40 an hour to \$6.70, effective February 1, and it will continue to rise until it reaches \$7.50 an hour on February 1, 2007. And that's not all. The other rates will also rise: The liquor server rate from \$5.95 an hour to \$6.20 on February 1, 2004, and then it continues to rise to \$6.95 per hour on February 1, 2007. But that's not all.

**The Speaker (Hon Alvin Curling):** Thank you.



**Hon Mr Bentley:** Hunting and fishing guides will go up until it's \$35.75, and \$40 on February 1, 2004, and finally—

**The Speaker:** Thank you.

1500

### HIGHWAY TOLLS

**Mr Cameron Jackson (Burlington):** My question is to the Premier. During the election, your party made very specific promises to the motorists of Ontario. You said you had a platform to deal with gridlock and that you felt that “no new toll roads” was the way to go. Frankly, your Liberal candidates spoke at length in every corner of this province, but in particular in Hamilton and the Halton region, about the fact that you were opposed to the mid-peninsula highway ever becoming a toll road. Last Friday, the National Post, quoting a senior Liberal in your government, indicated that you were considering allowing the private sector to build new roads and to charge tolls on those new roads.

My question to the Premier is simply this: Is it now your plan to change this election promise and to begin charging for tolls on roads? And specifically, are you planning to charge a toll on the mid-peninsula highway, which all of your candidates campaigned against?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Mr Speaker, I'll refer the matter to the Minister of Transportation.

**Hon Harinder S. Takhar (Minister of Transportation):** I would like to thank the member for his question. My objective is to ensure that Ontario's roads and highways are maintained to the highest standard. We are not going to do what they did with the 407. I am not going to speculate about what is going to happen in the future. We have absolutely no plans at this point for the tolls.

**Mr Jackson:** The honourable minister across the floor has clearly indicated to this House that it is now back on the table that we can have a toll road on the 407. All he has indicated is that he's not prepared to consider leasing or selling some arrangement for the land. What he is confirming today is that he has kept his option open for a toll road.

There was a second promise made by every member of the Liberal Party and those who got elected in the Halton, Hamilton and Niagara regions. In fact, your Liberal candidate in Erie-Lincoln campaigned on how fast they would build the mid-peninsula highway.

I'm going to ask you, Minister, is it your intention to honour the promise made by your Premier, to honour the promise made by every candidate who ran for the Liberal Party in our region, that you will subject the mid-peninsula highway to a full environmental hearing? We want you to put it on the record today that you're that kind of minister, that you'll make that commitment. We want to know today, will you commit to a full environmental hearing for the mid-peninsula highway?

**Hon Mr Takhar:** We will commit ourselves to putting the mid-peninsula highway to a full environmental assessment.

### CRIME AGAINST SENIORS

**Mrs Liz Sandals (Guelph-Wellington):** My question is to the Minister of Consumer and Business Services. Today is December 1. It is the kickoff to the holiday shopping season. At this time of year we often hear horror stories about seniors in Ontario falling victim to fraud. No one wants their parents or grandparents to fall prey to criminals. Your ministry is responsible for protecting consumers, including seniors. What will you be doing to help protect the thousands of seniors in my riding of Guelph-Wellington and seniors across Ontario from fraud during the holiday season? In particular, what will you be doing to combat the problem of phony charities scamming seniors?

**Hon Jim Watson (Minister of Consumer and Business Services):** I want to thank the honourable member for Guelph-Wellington and congratulate her on her first question and for all of the work and concern that she has shown to the senior citizens in her community.

The Dalton McGuinty government is committed to protecting all consumers in the marketplace, in particular senior citizens. We're concerned, as the holiday season approaches, that some unscrupulous business people are going to try to take advantage of particularly vulnerable people in our society: senior citizens. My ministry is working very diligently with the Office of the Public Guardian and Trustee to explore ways to increase seniors' awareness and how they can protect themselves in the marketplace.

In the coming days, I'm also going to be releasing the 2004 Fraud Free Calendar. It's a public-private partnership that gives practical consumer advice to seniors. Copies of those calendars will be available in the 61 government information centres. As well, they'll be sent to all MPPs so they can distribute them as they see fit.

**Mrs Sandals:** Thank you, Minister, and congratulations on your first answer. Our seniors will be happy to hear you're taking action to protect them. However, seniors whom I know don't want to be thought of as victims. Many want to be participants in cracking down on fraud and scams. What can seniors do if they think they maybe have encountered fraud?

**Hon Mr Watson:** Again, thank you to the member for Guelph-Wellington—

*Interjection.*

**Hon Mr Watson:** —and I want to thank the junior member for Nepean for his support here today.

I know members opposite are concerned about this issue as well. Our ministry, in co-operation with the Ontario Provincial Police, works with a program called Phone Busters and Senior Busters. Phone Busters is a national deceptive marketing call centre, and Senior Busters is a very important program. I want to pay tribute to the senior citizens who help staff the phone line. It can

be reached at 1-888-495-8501. Also, the Ministry of Consumer and Business Services operates a consumer complaint hotline. If seniors do find themselves in difficulty, they can contact us toll-free at 1-800-889-9768. I would encourage individuals—

**The Speaker (Hon Alvin Curling):** I would encourage you to sit down.

## TAXATION

**Mr Tim Hudak (Erie-Lincoln):** My question is to the Premier. Premier, the people of Erie-Lincoln are becoming increasingly concerned about your string of broken promises and what it means to their pocketbooks. Your first two bills in the Legislature brought in the biggest tax hike in the history of the province of Ontario, and it is significantly increasing hydro rates paid by consumers across the province. Will you be good to your word and guarantee to the Legislative Assembly today that you'll not be increasing personal income tax rates any more, that you'll not be increasing the gas tax rate, and you'll not increase the tax on wine, spirits or beer?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Let me take the opportunity to disabuse the member opposite of the notion that he has about our commitment to our promises. I'll just remind him of some of those that we've already delivered on.

We've stopped approving auto insurance rate increases; we did that 15 minutes after forming the government.

We have announced that we will freeze tuition.

We've established a Ministry of Children's Services.

We've introduced legislation to eliminate the private school tax credit.

Yesterday we delivered on our commitment to raise the minimum wage to \$8 an hour.

Another thing we're doing for our families: We're going to make sure their meat is safe by having enough full-time inspectors on the job working in the interests, not of the private sector and private profits, but rather the public interest and the safety of our families.

*Interjections.*

1510

**Mr Hudak:** While the Liberal benches are cheering, I think the heartbeat of taxpayers in Ontario has gone a lot faster with that answer.

A very simple yes or no question—I remember the TV commercials: Looking straight into the camera, Dalton McGuinty says, "I will not raise your taxes." Maybe I didn't have a high-definition TV and didn't see the asterisk. Maybe the TV screen wasn't long enough and I didn't see that your fingers were crossed. It's a simple yes or no question.

You were the man who was the Boy Scout. You're walking down a trail of broken promises. You were going to do things differently. You were the man who was going to starve cynicism. You're feeding them an all-you-can-eat buffet of broken promises.

Answer the question directly: Are you raising the gas tax, are you raising taxes on alcohol and are you going to

raise the personal income tax rate any more than you've already done?

**Hon Mr McGuinty:** I think the member opposite just broke some kind of record. Never has one individual inserted so many clichés into one question in the history of this Legislature.

I'll tell the member opposite what does quicken the pulse of the people of Ontario. It's the fact that they have been saddled with a \$5.6-billion deficit that compromises their ability to improve their schools, their health care, the protection of their environment and their communities. They're not going to forget that, I can assure you, for a long, long time.

## AUTOMOBILE INSURANCE

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** My question is for the Minister of Finance. On October 23, within an hour of being sworn in, you announced a freeze on auto insurance renewals, and last week you introduced a bill that would protect Ontario drivers from substantial increases. However, I've had a number of phone calls to my constituency office from people who are concerned about their auto insurance premium renewals. The calls I'm getting are that their auto insurance rates have gone up since October 23.

If we froze auto insurance premiums as of October 23, how can these rates continue to climb?

**Hon Greg Sorbara (Minister of Finance):** Thanks to the member from Glengarry-Prescott-Russell; it's a very important question. However, the answer is pretty simple.

What insurance policy holders are experiencing is the residue, tail end Tory auto insurance approvals that have gone on for the past four years: rate increases in 2002 of 9.2%; 2003, 7.3%; in the second quarter of 2003, 8.5%; and I could go on.

I tell my friend that what we did was take steps, as the Premier said, and within 15 minutes of being sworn in we froze rates. No further rate increases would be approved.

**Mr Lalonde:** I am extremely happy to hear that we kept our promise to drivers. Dalton McGuinty and his government are committed to following up on our promises. It is unfortunate that the previous government allowed this to happen. But it doesn't matter who did it. The drivers in my riding want to know what we are doing to protect them from these increases they are facing.

Several drivers in my riding have reported being hit by heavy rate increases of 20%, 30% and even more. Some constituents of mine are getting renewals backdated as early as October, even though their policies are not up for renewal until December. This doesn't seem to be fair for drivers who have had clean driving records.

What action will you take to protect the drivers of my riding and those across the province from these hefty increases?

**Hon Mr Sorbara:** My friend raises a very important issue. What drivers should know is that in some instances



there will be increases in rates based on rate approvals that were approved before we came into office.

The important part of the question is, where are we going from here? Our bill, which is going to be debated today in the House, provides for a 90-day period of freeze, within which time we will be bringing forward a set of reforms that will have the effect of reducing insurance rates by, on average, 10%. That will begin to take effect shortly after January 23, when the freeze is lifted. Thereafter, we're not going to stop there. We're going to continue reforming the system until it is a system that is competitive and rates are ones that are affordable by the drivers of this province. They expect nothing less and they're going to get nothing less, I tell my friend from Glengarry-Prescott-Russell.

#### ONTARIO DRUG BENEFIT PROGRAM

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** I'm going to ask the Premier one more time about the Ontario drug benefit program. He refused to respond to the speculation about the fact that they were considering removing some drugs from coverage, introducing user fees and income testing—in other words, two-tier health care.

Yet, in June 2001, this same Premier said to the then Premier, Mike Harris, "I just gave you the opportunity to provide every possible reassurance to our seniors that you will not introduce income testing for their drugs or user fees for their drugs, and you refused to provide that assurance. I'll give you one more chance. Prove you're on the side of seniors now."

I say to you, Premier, prove that you're on the side of seniors, that you won't break another promise and you're not going to raise taxes. Give them the assurance that you won't do that and are not considering it.

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I thank the member opposite for the same question again. I want to remind her that one of the most important things that has ever been done for seniors with respect to their health care, and it's the same in terms of being one of the most important things we've done for all Ontarians in terms of their health care, is to slam the door tight on this government's creeping privatization of our health care. We've introduced the Commitment to the Future of Medicare Act, which is all about standing up for seniors and all other Ontarians who are entitled to a high-quality system of universal, public medicare.

#### PETITIONS

##### PROVINCIAL DEFICIT

**Mr Lorenzo Berardinetti (Scarborough Southwest):** I have a petition to the Legislative Assembly of Ontario, and I'm just going to read it.

"Whereas the previous government left the current government of Ontario with a \$5.6-billion deficit. As a result, the residents of Scarborough Southwest demand immediate action to eliminate the deficit and bring Ontario's fiscal house in order.

"We, the undersigned, petition the Legislative Assembly to move as quickly as possible to eliminate the \$5.6-billion deficit."

I'd like to table this with the Clerk.

#### TOBACCO TAX

**Mr Ernie Hardeman (Oxford):** I have a petition here signed by a great number of my residents and the residents from the riding south of Oxford. It's to the Legislative Assembly of Ontario.

"Whereas Dalton McGuinty has stated that he will increase tobacco taxes by \$10 a carton, force store owners to hide cigarette and tobacco displays behind a curtain, and support a smoke-free Ontario; and

"Whereas history has proven that increases in tobacco taxes cause increases in the smuggling trade for illegal black-market tobacco whose contents are neither regulated nor inspected; and

"Whereas forcing store owners to hide their tobacco displays unduly punishes both store owners and consumers for the purchase and marketing of what remains a legal product;

"We, the undersigned, respectfully petition the Parliament of Ontario as follows:

"That the government of Ontario reject the increase in tobacco taxes and the ban on the display of tobacco products, and protect the rights of consumers to purchase a legal, regulated product—tobacco."

I present it on behalf of all the people who signed this.

#### VISITOR

**Mr Lorenzo Berardinetti (Scarborough Southwest):** On a point of order, Mr Speaker: I'm sure all members of the Legislature will want to join me in welcoming the mother of one of our pages. Her name is Linda Brett and she was in the audience—I don't know if she's still here at this point in time. Her son, Daniel Brett, is an acting page. I will be having lunch with him tomorrow. I wanted to thank the mother for coming and for allowing her son to work in the Legislature.

1520

#### OPTOMETRISTS

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly. It comes from Fort Frances and it reads as follows:

"Whereas the Legislative Assembly of the province of Ontario will be considering a private member's bill that aims to amend the Optometry Act to give optometrists the authority to prescribe therapeutic pharmaceutical agents for the treatment of certain eye diseases; and

"Whereas optometrists are highly trained and equipped with the knowledge and specialized instrumentation needed to effectively diagnose and treat certain eye problems; and

"Whereas extending the authority to prescribe TPAs to optometrists will help relieve the demands on ophthalmologists and physicians who currently have the exclusive domain for prescribing TPAs to optometry patients; and

"Whereas the bill introduced by New Democrat Peter Kormos (MPP, Niagara Centre) will ensure that patients receive prompt, timely, one-stop care where appropriate;

"Therefore, I do support the bill proposing an amendment to the Optometry Act to give optometrists the authority to prescribe therapeutic pharmaceutical agents for the treatment of certain eye diseases, and I urge the government of Ontario to ensure speedy passage of the bill."

I agree with the petitioners and I've affixed my signature to it.

## ORDERS OF THE DAY

### ONTARIO ENERGY BOARD AMENDMENT ACT (ELECTRICITY PRICING), 2003

### LOI DE 2003 MODIFIANT LA LOI SUR LA COMMISSION DE L'ÉNERGIE DE L'ONTARIO (ÉTABLISSEMENT DU COÛT DE L'ÉLECTRICITÉ)

Resuming the debate adjourned on November 27, 2003, on the motion for second reading of Bill 4, An Act to amend the Ontario Energy Board Act, 1998 with respect to electricity pricing / Projet de loi 4, Loi modifiant la Loi de 1998 sur la Commission de l'énergie de l'Ontario à l'égard de l'établissement du coût de l'électricité.

**The Speaker (Hon Alvin Curling):** We're at questions and comments now. The last time we were at the third party. We had completed the third party. We are now over at the government side for questions and comments for two minutes.

**Mr Dave Levac (Brant):** On a point of order, Mr Speaker: I need clarification on the rotation as to whether or not we had a member with minutes left to complete, as in eight minutes. That's not the case?

**The Speaker:** No. My understanding is that the last time the third party had finished their questions and comments for two minutes. Let me just check.

It is my understanding that the member for Toronto-Danforth had finished her two minutes of questions and comments and that it's now in the rotation of the government. I asked for further questions and comments. It seems to me that it's on the government side. Is there someone from the government side?

**Mr Levac:** Within the two minutes, just to put on the record again, we're talking about Bill 4. It's the energy bill that has been proposed before the House. We want to be very clear that we're being realistic about electricity prices. The previous statements by the members on the other side of the House have made it quite clear that they've got one way or the highway, and it's the only way to do this. What we're trying to do is find the balance. With this proposed legislation, our government is taking a responsible approach to try to have electricity pricing that better reflects the true cost of electricity.

Some of my own words were used against me by a member of the north in the NDP. They basically tried to say that I was against this all along. Quite frankly, I had indicated that this bill proposes where we should have been right from the very beginning. The municipality I represent would have been hit with a \$1-million debt, when the municipality itself chose to be debt-free. They actually got themselves out of debt as a whole municipality because of good budgeting, good financial restrictions that they put on themselves and spending that was tailored to their needs. When this bill came in from the previous government, it was going to foist upon them a \$1-million debt. Quite frankly, we can't do business that way, where we just shift the debt around, which is exactly what's happening with this cap. It was pointed out quite clearly that the cap of 4.3 was matched just because Toronto had it and they didn't have any rationale for why 4.3 should have been used as a cap in the first place.

In terms of the speakers in this House, I want to make it quite clear that a responsible way to deal with this is to remove that cap. We're getting responses from across the province on this issue. They're talking to us and saying, "Now we're headed in the right direction so we're going to finally pay the value of what we generate." We've also added into that the conservation issue, which is very important.

**The Speaker:** Questions and comments?

**Mr Garfield Dunlop (Simcoe North):** Thank you very much, Mr Speaker. I'm sorry about the confusion a little earlier.

I want to take a moment to thank the member from Don Valley West and the member from Stoney Creek for their comments in the House on this particular piece of legislation. I'm not in favour of this legislation, of course, mainly because there was an agreement in this House just a year ago now to leave this cap on until 2006. Certainly we believe on this side of the House that 2006 would have given the government of the day, the citizens of Ontario and industry in Ontario the opportunity to use that time to have further generation come on stream, as well as the fact of being able to allow good, strong economic growth in the province, which, of course, is what we need to pay the bills in this province, to pay for the different kinds of promises that all provincial parties in governments need, and that's the \$28 billion or \$29 billion we spend in health care and the \$14 billion or \$15 billion we spend on education.



My concern with lifting the cap is strictly the loss of job creation in Ontario. As well, I'm hearing—and I don't know what the members opposite are hearing. That's certainly not what the member from Brant has heard. In my municipality and in the riding I represent, people are very concerned about the broken promise. I was at probably 15 events on the weekend and the voices from the citizens I represent were continuing to say that Dalton McGuinty had broken yet another promise.

I look forward to more comments this afternoon and hearing our members say a few words on this bill as well.

Mr Speaker, I take this opportunity to thank you again for the opportunity to say a few words.

**The Speaker:** There's a wrap-up of two minutes from the member for Don Valley East.

**Ms Kathleen O. Wynne (Don Valley West):** West.

**The Speaker:** West. Sorry.

**Ms Wynne:** Not to be confused with "East." Very close.

The bottom line, because of the financial situation confronting Ontario, is that it would be irresponsible for the province and taxpayers to continue to subsidize electricity consumption. This bill outlines our plan for taking responsible action. This subsidy jeopardizes our ability to invest in health care and education. It jeopardizes our ability to follow through on the things that we know need to be done. What we're doing right now is playing catch-up. We're having to clean up a mess that was created, and one of the ways we're going to do that is, we're going to lift this cap on electricity so that we can start to address the deficit that's confronting us.

On October 2, the people of Ontario elected a government capable and willing to make decisions based on the best interests of all Ontarians, and that includes dealing with our issues of conservation. We can't keep doing what we've been doing in this province. We can't keep over-consuming. We have to start dealing with the fact that energy is not an infinite resource. We have to find ways to conserve what we have and build local solutions, build supply, while conserving what we have.

That's why I am confident that the citizens of this province understand that we have to make a change in the cap that was put in place by the Tory government. It was an irresponsible, time-sensitive cap in the first place. It was never going to be in place permanently. It was always the intention of our government to remove the cap. The current deficit has accelerated our agenda. It hasn't changed our plan, it hasn't done anything but force us to move more quickly in the direction we had already intended to move in. That's why we are lifting the cap. It's the responsible thing to do.

1530

**The Speaker:** Further debate.

**Mr Jerry J. Ouellette (Oshawa):** Thanks for the opportunity to speak on the energy bill this afternoon. First of all, I'd like to say I've got some relatives visiting from Manitoba. To my nephews Matthew and Addison, it's great to have you here in Ontario.

I also sat on the alternative fuels committee, which dealt with a lot of energy issues. It was a great pleasure to sit on that committee. We had a number of members—Mr Bradley, Ms Churley was there, Ms Bountrogianni, Mr O'Toole—who worked very hard, did a lot of great work there and heard a lot of comments from various presenters on energy and efficiency, whether it was electricity, electricity pricing or electricity generation. It was great to see.

I remember Collingwood, for example, coming forward with an energy-reduction program that saved them, I believe, in the area of 22% of electricity generating costs simply by monitoring and regulating water heaters through a computer program that was centrally set up so that those individuals who used water at certain times would have it when they needed it. When they wanted to shower in the morning, a family of two would be able to do that, but they wouldn't reheat that after they had gone to work until later on in the day when those peak periods in the generation costs were a lot less.

There were so many things that we heard. I certainly hope the new government of the day—first of all, I should congratulate them, as this is the first opportunity I've had to speak in the House, on winning the recent election. It takes a lot of time and energy, and the province has certainly spoken on what they feel is the new government and how it's going to unfold for us. Also, I hope the new government does look forward to other multi-party committees such as the alternative fuels committee, because it was very interesting and informative for all of us to work together.

As I mentioned, on that committee we had Collingwood express the fact that they could have a 22% reduction in their peak load costs simply by monitoring and regulating the way the hot water heat was done in that community. People didn't realize that at the time, when cost pricing was done on peak loads. As the demand reached here, the cost for the day was set at that. They reduced it by about 22%, taking the cost down to here, so their cost across the board was substantially less, just by taking care of the hot water heaters in that area.

Since the introduction of this bill, I've had a number of concerns come forward from the seniors in my riding, for example, who are concerned about being on a fixed income, and other individuals on fixed incomes as well, such as those on disability. What is the cost going to be for those individuals who have electric heat? How are they going to be able to afford the cost of that? I know one individual spoke very clearly and asked about the possibility of two meters, one for the electric heat and one for the generation. The possibility to regulate or monitor the amount of electricity used outside that area was a potential opportunity because of the impact on fixed-income individuals and how we'd be able to deal with that. This individual's suggestion was two meters, one for the electric heat and one outside that, so you got outside that margin of 750 kilowatt hours per month.

Also, what is the impact on small businesses? The function of a government is to create an environment that



attracts business and brings it into its jurisdiction. What is the impact on those small mom-and-pop operations and how they're going to unfold and how it's going to work for them?

Governments try to create an environment, and when you add the other aspects, whether it's the increase in minimum wage that was brought forward and mentioned today or the small business taxes, when a company looks to locate in an area, electricity is one of the key components for that, and that is because it is one of the major costs. Being from Oshawa, I'm sure people would associate General Motors as being one of the key employers—and it quite definitely is. When they look at that, they look at what the cost is to generate electricity so they can produce their product or their goods.

When I had the opportunity and privilege to work in the Ministry of Natural Resources, we had a number of lumber producers, for example. The difficulty with that was that a lot of them were deciding whether they were selling energy or producing lumber. When they sold energy, because a lot have their own mills and generating plants—I would imagine that the new minister would be invited up for a ribbon-cutting ceremony at Iroquois Falls for the lumber mill there where they did a \$50-million upgrade to produce more electricity. The difficulty there is that when they're producing electricity, they're not running the mill. So the people who work in the mill are not employed cutting lumber, whether it's in the forest, transporting it, whether it's the trucks that bring it in, or actually in the mill making the paper or the chips and by-products that go with it.

So companies have to decide where they are going to produce and what the impact of this change is going to be on those companies. How are they going to determine if they're selling on the spot market—and that's one of the difficulties that I hope the new government is going to contend with. They have to give notification of a two-hour period before they can sell in that market. In that two-hour time frame the cost of electricity could substantially change. Not only does the electricity cost change, and the sale of it, but also the employment criteria for the people who supply the mill, work in the mill and transport the goods back and forth. These are some of the things that the new government of the day has to decide the impact of.

Quite frankly, I would hope a lot of people know that in northern Ontario the mining and lumber industries are the lifeblood of employment and opportunities. So those companies have to best determine how it is going to unfold for them.

I can remember back when we were first elected in 1995. One of the family members from the Mackey group who was a race car driver as well as in Michigan at the time and he said, "Ontario used to be our number one supplier for employment here in Michigan, but since you came along," referring to us winning in 1995, "we're concerned with the amount of jobs that are not going to locate in Michigan but are now locating back in Ontario."

I'm a bit concerned about the impact of that environment I spoke of, whether it's the increased cost of

electricity on businesses, whether it's the increased costs in minimum wage, plus the taxes, for businesses that locate here. Certainly we have a great province and there is a great deal of benefit for companies locating here; whether it's workers' safety and insurance or the OHIP costs that help attract businesses to the province of Ontario, they all factor that in. Before we came to power in 1995, a lot of those locations were in Michigan. We brought them back. What's the new impact going to be?

I had the opportunity as well to sit with the Durham home builders on the weekend. They were celebrating their 50th anniversary, and I certainly congratulate them for 50 years of contributing to the economy, to the community and to the jobs in my region—in Durham region and Oshawa. The amount of growth has been phenomenal. We're growing in leaps and bounds. We're seeing new developments come forward. Hopefully, as things progress, once the expansion of the 407 gets through the region of Durham, you're going to see one of the largest economic stimuli for future growth in the region of Durham.

Again, they're concerned with some of those aspects, and electricity cost is one of the concerns. It's not so much the cost of the production of the house, but it's the cost to get there; as I mentioned earlier, the increased costs for mills and lumber mills. And lumber is obviously one of the key commodities in producing, as is brick. Bricks are fire-formed and a lot of electricity is utilized in that process as well to build those houses. Those costs will slowly start go to up again. What is the impact going to be on those businesses when they're not selling houses, and the jobs aren't locating in the area, because of increased costs?

But 50 years is certainly a long time for the Durham home builders and I certainly congratulate them on 50 years of dedicated commitment to the region of Durham.

Ontario is still listed as one of the fastest-growing jurisdictions in the G8 countries and this is because of the environment that was in that area. You have to make sure you have an environment that attracts businesses and takes care of its individuals. So long as we had that and the businesses were locating here, we certainly grew in leaps and bounds in Ontario, because quite frankly for a significant period of time we didn't have that ability to grow and prosper for businesses to locate here. Then they came forward. What is that impact going to be? I think businesses will be the key ones who will be deciding on what and where they should be locating.

1540

I mentioned the alternative fuels committee. There are some other aspects there that I think should be integrated, hopefully through the committee process. Net metering is one of the key components. There are individuals who have self-generation, whether it's through solar power or wind power. They produce enough electricity that they have the ability to sell on the grid. So when their solar power is generating more electricity than they utilize in the house at that time, they sell that back on the grid. A bill is required for what is called net metering, to give



those individuals the opportunity to sell back on the grid. Also, the time of day or demand management is very key as well.

The net metering was very interesting. I can remember Mattawa. I know there appears to be a question about net metering, but in Mattawa there were some individuals who had been off grid for a number of years. Actually, while campaigning, I happened across a couple of houses that we found very interesting because their entire roofs were covered in solar panels. Those would be the individuals who would be very concerned about the ability to sell back on the grid, so that their meters go in reverse when they're contributing back into the grid. Demand management is very key—I know Mr O'Toole mentioned it during his speech last week—and the time-of-day costs.

Those are some of the things that could be looked at as well. But it's very difficult to monitor and regulate that, because how do you assess when the meter goes around? It doesn't say, "It went around at this time." How much electricity is used at what time of the day? If individuals want to run the dryer, the washer or the dishwasher at certain times of the day, at peak periods there should be an additional cost to use those services because it would be a deterrent for individuals to run the appliances at that time.

One of the suggestions that we had on the alternative fuels committee that was very effective was the use of timers on appliances. They could set them for the middle of the night so the dryer would go off in the basement, as it is in our house anyway, at 2 o'clock in the morning when there was no peak load and the cost for electricity production was very low. That would assist, in a much more friendly environment, in generating electricity.

One of the other things was the amount of electricity used. If you charged more at certain periods of the day, people would be more reluctant to use it at that time.

One of the areas I had a real concern with was schools. There was no incentive in schools. When I was a kid, it was always the same thing. "Turn the something something light off," Dad used to say. Now that I've got a couple of young boys—Josh and Garrett, who are six and eight—I say the same thing. They walk out of the room and they leave the light on all the time.

People think in the microcosm, and there is difficulty with that. I can remember walking into one house and they had the TV and the lights on for the dog when they went out. I said, "Do you understand what that costs?" because we were dealing with electricity at that time. They said, "What does it cost? I don't know—maybe 50 cents an hour to do that?" I said, "Yes, but you don't understand. You're thinking in the micro; you have to think in the macro. We've got 60,000 houses in Oshawa. If every house had a TV and a light left on, that would be 60,000 lights and 60,000 TVs that are causing the production of electricity."

When you get into those summer months, when all those appliances are on and the air conditioning is going and everything else is happening, that certainly adds to

the generation costs where the coal-fired plants fire up to supply those peak demands. If we can reduce those and get people understanding—and it has to start right in the schools. If the schools had an educational program whereby the kids understand—I ask my kids about it all the time and they don't really get a good sense of energy savings and the cost. I know that in our house in excess of 50% of all the lighting cost is with energy-efficient bulbs. Quite frankly, my wife, Dianne, was a bit concerned: "What are you spending all this money for on these bulbs?" I said, "It's going to be a saving in the long term, not only for us but for the environment, for the future generation of our kids."

I think people need to look at those things, such as tax incentives on energy-efficient appliances. I remember during the campaign that the big thing the NDP had was the fridges; they were going to replace refrigerators. The difficulty with that was—and it didn't come up during our campaign—what are you going to do with all these fridges when they're done? Where is all the Freon that was used to cool those fridges going to go when they've taken them to a landfill site somewhere? You try to regenerate them but most of the time they just go into a site. Those weren't taken into consideration.

I think incentives are very key and very necessary for a lot of individuals so they can see the added benefit not only in the short term but in the long term. Give the gift of savings for the future. I know my mother will probably receive some energy-efficient bulbs for Christmas this time around just to help out with the energy costs in the household, as an incentive to help reduce the cost of electricity, as well as the cost to the environment.

There are a lot of opportunities. I think it's right back at where it starts. The youth of today are the ones who are going to inherit our environment. I think there are a lot of things that we are able to do. I certainly hope with the impact of the legislation coming forward—when you add the cost of minimum wage, the cost of the business taxes—business will still see Ontario as a key place to locate. The future opportunity for multi-party committees is very key in developing policy that would be helpful. I know the alternative fuels committee was one. I think that going right back to the base of educating our youth about the impact on tomorrow is so key.

With that, I'll close my remarks as I appreciate and forward to some comments to see how the other members speak here today.

**The Speaker:** Questions and comments?

**Ms Marilyn Churley (Toronto-Danforth):** The member, I'm surprised, didn't use up all his time. I was preparing my two-minute question-and-answers and I don't have them ready. I request unanimous consent that the member use up his time.

I listened carefully, actually, to the member for Oshawa because we did both serve on the alternative energy committee. It was a committee that actually worked. It was the only one I experienced in this place that overall was fairly non-partisan. We all worked really hard. I was the only New Democrat there, working along

with many Tories and some Liberals. We came up with an amazing document that I urge everybody who has an interest in alternative fuels and efficiency and conservation to read, because it got shelved by the previous government. To be fair, they didn't have a whole lot of time to deal with it, but I urge the new Liberal government to remove that report from the shelves and start implementing the recommendations because there are some very far-reaching, excellent recommendations as to how we can save energy.

On this bill before us today, which in a few minutes I will have an opportunity to talk about in more detail, I will talk to people a bit about ways that we can conserve energy and become more efficient, but what I also will want to talk about is what's wrong with this bill before us today and why it's not about energy conservation and efficiency, but it's simply about a hike in the hydro rates in this province. It's another broken promise by the Liberals who promised over and over again during the election campaign that they would keep these rates on until 2006. That promise has been broken. So people were prepared to not have rate increases; now they're going to see them.

**Mr Pat Hoy (Chatham-Kent Essex):** I'm pleased to rise and make some comments to the member opposite. The persons whom I think we all share a concern for are those who are least able to pay. So I was pleased today to hear the Minister of Labour stand in his place and tell Ontarians that we are going to raise the minimum wage.

Back some time before April of this current year, I met with what I would call caregivers who came to my office. They were deeply concerned about the poor and the working poor. They were also concerned about the lack of volunteers who would come and assist them as they tried to assist others to make their commitments in day-to-day life, and issues such as heat, clothing and food—many items that we take for granted. I mentioned to them that it was a commitment of ours to raise the minimum wage, albeit over time, but we would raise the minimum wage. I have to tell you that they were gratified to know that we were going to, after almost nine years, raise the minimum wage for these persons so that they can afford the utilities, food, clothing, shelter and the basics that we all take for granted.

1550

In regards to this energy bill, we're taking a realistic approach to energy usage and pricing here in Ontario. Small business people, during the blackout that happened some time ago over all of Ontario and the eastern seaboard, came to me and said, "My product was destroyed because of the hydro being out." I think the people of Ontario want to know that when they flip the switch or put the plug into the wall, they are going to be secure in knowing that the product they have in their stores and their businesses—I'm talking about refrigeration, for one example—is going to be safe, that it's going to be available to the public on the next day. That's what we're about: the security of our hydro.

**The Speaker:** The member for Simcoe North.

**Mr Dunlop:** Thank you very much, Mr Speaker. I'm looking forward to helping you light the trees downstairs this evening, or something. I think I'm involved in that a little later on.

*Interjection.*

**Mr Dunlop:** Yes, we're going to cut the usage.

Again it's a pleasure to make a few comments on those of my colleague from Oshawa, Jerry Ouellette, former Minister of Natural Resources, and a very well respected member of Parliament in this Legislature.

I couldn't help but take notice of Mr Hoy's comments, particularly around minimum wage. It's kind of like, as was mentioned a couple of times today, Chris giveth and Greg taketh away. Those were a couple of comments we heard earlier today. There's no question that the minimum wage will help a little bit, that there are some people it will help out in our province.

However, my concern about that, and I've mentioned this a number of times in other comments here, is that it will have an impact on very small business people who are trying to hire students for the first time. I know some of those businesses, and already they're very concerned about it, particularly when they're seeing the rate being lifted on their hydro. We know right now that Bill 2, the largest-tax-increase-in-history bill, will have a very negative effect on small business people, and wage earners as well. We'll now see the 700,000 whom we've been able to get off the minimum provincial income tax rates go back on. I think we've got some strong concerns around that area.

I'm not really making a lot of comments right now on my colleague's comments because he will be wrapping up here in a couple of minutes. I do want to thank the Speaker once again for the opportunity to address you this afternoon.

**Mr Gilles Bisson (Timmins-James Bay):** This is a bit of an odd debate. We find ourselves in a situation where we're actually listening to the previous government, by way of the speech by Mr Ouellette, whom I also respect as a member of this assembly—a person of integrity; I have no question about that. But the member is in a position of debating a bill about a government that's now saying it wants to remove a rate cap on electricity that was installed by the Tories. I find that a little bit ironic because the Conservative government had tried to deregulate and privatize hydro, and it didn't work. The net effect of it was that electricity prices in this province went through the roof. We said at the time, and the Liberals said at times, depending on what day it was—one day they were in favour of deregulation and the next day they were opposed. I think they flipped about five times. Finally, before the election, they were squarely behind Howard Hampton and said, "We shouldn't privatize. We shouldn't deregulate." They even went so far as to say, "We shouldn't remove the rate cap." Now, that's what the Liberals had said prior to the election.

We find ourselves in a funny situation where the Liberals, who are now the government, are coming back



and breaking their election promise by removing the rate cap. What they're doing by way of this bill is essentially privatizing and deregulating hydro. The ironic part is that the Conservative member finds himself in a position of having to criticize a Liberal government for essentially doing the same thing that his own government wanted to do, except for the rate cap. So I find it a little bit ironic.

Des fois, dans cette Assemblée on voit des affaires qui sont bizarres. Je peux vous affirmer qu'aujourd'hui c'est une de ces journées-là; on s'attend d'habitude, quand un gouvernement est élu, qu'ils vont garder leurs promesses puis ils vont aller dans la direction dont ils ont parlée durant les élections, mais dans ce cas le gouvernement dit (1), « On va briser notre promesse; on va allouer la déréglementation et la privatisation de l'électricité, » et (2), « On va s'assurer que les prix de l'électricité vont monter. » Moi, je peux vous dire, comme consommateur d'électricité, que c'est de la méchante nouvelle conservatrice et libérale.

**The Speaker:** Member from Oshawa, two minutes.

**Mr Ouellette:** I'll begin with the last speaker. I thank the member for Timmins-James Bay.

During my speech earlier on: If anybody, it was his riding that benefited most substantially, with the Iroquois Falls new hydro development, a \$50-million redevelopment that was taking place for a mill in his community, because they wanted to generate their own electricity, and his community or his riding saw that substantial benefit. I know he'll probably be invited to that mill opening, with the new generation, when they cut the ribbon there.

To the member for Toronto-Danforth, yes, it was a pleasure to work on the alternative fuels committee. It was very productive and it gave us a lot of insight on how communities and businesses were dealing with that very serious issue regarding electricity costs, alternative fuels and the opportunities in the future. If in the early 1990s we could have gone into environmentally-friendly-based as opposed to gas-based, whether it's wind power generation or other generation, we would certainly be in a different situation at this time.

As well, the member for Chatham-Kent Essex spoke about the minimum wage impact. My intention there was to discuss the impact as a government creating an environment for business. When I was in business, I was a general sales manager for a company. The owner came forward and said, "Our accountant says that we have to have an increase of 10% in the sales of our average product." I turned to the manager who was running the business at the time and said, "What would you rather have 15% of the current amount that we're making or 25% of nothing?" Right now, that business is not in existence.

**The Speaker:** Further debate.

**Ms Churley:** I had an opportunity just last week to speak for a couple of minutes on this very important bill before us today. I have the pleasure of a full 20 minutes today to berate the Liberals, many of whom are sitting here, I'm sure, waiting to hear what I have to say, taking in every word, no doubt in great anticipation.

I mentioned the other day that I've been fascinated, Mr Speaker, as I'm sure you are, sitting in the chair—now, of course, you're non-partisan and you must listen. I've sat in that chair as the Deputy Speaker and it's an amazing thing. It's hard to believe, to the new members, that this is such a partisan place. I know some of the new members are coming to me now and saying, "You all seem to dislike each other so much here," but yet between question period and other times, we are actually friendly with each other. It does take a while to get used to, doesn't it? Even school kids don't behave like this. They would be thrown out of the classroom, expelled. However, it is the nature of the place. But it is interesting, when you sit in the Speaker's chair, how you really do become neutral. I was surprised that when I was the Deputy Speaker, when I sat elevated in that chair, how I listened to everybody and tried to be fair with everybody, and how sometimes, even as a member of the government, you could understand that your own government can be saying pretty silly things.

In this case, this Bill 4 before us today, we've seen a leader who has flip-flopped in a spectacular fashion. This is of course from Liberals. As we all know from way back, the word most associated with Liberals is "flip-flop"; the flip-flop party. But in this case, it really is spectacular. Mr McGuinty, the Premier of this province, promised not only once, twice, three times or four times, but dozens of times—before the election, during the election, right after the election—that he would not lift those caps until 2006. I have to say that I never supported the caps. I made it very clear in this House and, in fact, as you know, our party voted against the rate caps, although our leader did take the lead in raising the issues about the huge rate increases across this province daily in this House—the Liberals raised them as well—and begged and pleaded with the government day after day to put on rate caps. Eventually the government caved and did what was being asked. But time and time again, the then Liberal leader, now the Premier, promised to keep those caps until 2006.

I never supported the rate cap for two reasons. Anybody who's known me for a while will know that I entered politics as an environmentalist, and part of my dedication and commitment to the environment is probably not that much different from anybody else's in this House now, because over the past several years we've all become more environmentally conscious. There's no doubt that there's more and more evidence now showing the link between health and the environment, and certainly the link between the bad air created by our automobiles and some coal plants. We all know those connections now.

Many years ago, I did get into politics as an environmentalist—ran as an environmentalist—and part of the reason I ran was because of bad air in my community through incinerators and through other industry. I started, as a citizen, closing that industry down. I quite successfully stopped a huge, city of Toronto garbage incinerator from being built in the riding, as well as helping to get an

old one closed down and dealing with a lead plant that was literally poisoning our children. Those were the kinds of things that got me into politics in the first place, and I continue to have a keen interest in the environment.

Of course, when it comes to the rate caps—and this is one of the major reasons why I never support them and I didn't in this case, and we all know this—the lower our rates are, especially if it's not power at cost and we're being subsidized, there is no incentive to save energy.

1600

Secondly, I opposed the rate caps because it was putting a very expensive Band-Aid on a much bigger problem. The bigger problem was the deregulation and privatization of our electricity system, which my leader, Howard Hampton, has now written a book about. He became—I don't think anyone would argue—the foremost authority and the most impassioned speaker on hydro day after day after day. The previous Tory members will remember that. In fact, last year we made our little video for the press party all about Howard not being able to talk about anything but hydro. But the reality is that he was making a good point then and continues to make a good point now: that where we need to get back to is power at cost.

What Liberals and Tories will say repeatedly is that we never have really had the power at cost because of what we refer to as the stranded debt. The Tories especially would talk a lot about the stranded debt left behind by previous governments. I want to be clear what that stranded debt is really all about—this very, very large amount of money. It must be confusing to many people who don't pay a whole lot of attention to the intricacies of this debate. It's the money that was borrowed to pay for the building of nuclear plants, in particular the last nuclear plant that was built in this province, Darlington. We know we have a lot of technical problems, to say the least, with our nuclear plants now. That plant ended up coming in way above cost at the time. I wasn't in the Legislature then, but I recall Ruth Grier was here and was very passionate about this and forced the Legislature to take this out to a committee.

Nonetheless, Darlington went ahead at great cost and we are still paying for those nuclear plants that we built many years ago. We know there are tremendous problems with these plants, and we are now so reliant on those plants that it's scary. They are too expensive and we now find that there are so many technical problems. There's no room for error with nuclear plants because of the repercussions if something does go wrong. We don't have to deal with the deadly nuclear waste right now, but our children, our grandchildren and their children will. We don't know where to put it, and that's going to cost multi-billions of dollars. I think by now we all agree that allowing ourselves to become so reliant on nuclear power has been a mistake, but that's the mess we're in now. We have to deal with that particular aspect.

Certainly New Democrats have made a commitment to not build any new nuclear plants. I don't know what the Liberals' position on that now is. I believe Mr

McGuinty indicated that he would be open to building new nuclear plants. Hey, if he wants to break a promise, I wouldn't mind him—there are a few promises Mr McGuinty made that I'd like to see him break, and that would be one of them. I have to check that. I said, "I think," but I'm pretty sure he did. I think I've got the quote, but not with me. I'll get back to you on that.

But I can tell you some of the other things that Mr McGuinty said when it came to not increasing those rates. People listen when there's an election on. It's one of the few times when people actually do pay a lot of attention to what goes on in this place and what politicians have to say: during elections. And people vote. Well, in this case, they voted overwhelmingly—we know they wanted to get the Tories out, and it worked. The Tories are out. They're sitting over there now. Right over there. We can all applaud that, except for the Tories, of course. That was achieved.

But they also listened to what the politicians, and in particular the leaders, had to say. What Dalton McGuinty promised in this election was essentially what Tories promised before, and that is, "We can do more for less." It's not working.

I know that Gerry Phillips said—we have the quote—

**Hon Gerard Kennedy (Minister of Education):**

Read the whole quote. Read the entire thing.

**Ms Churley:** The whole quote? OK. Mr Phillips said there is a risk of a \$5-billion deficit.

**Hon Mr Kennedy:** Read it all.

**Ms Churley:** Methinks they doth protest too much. I've got the entire quote.

Another member from your—

*Interjection.*

**Ms Churley:** Oh, boy, are they defensive—getting really angry over there.

Gerry Phillips is a smart man. I used to read Gerry Phillips's speeches in this House if I wanted to know some of the financial aspects and things going on. We all respect Mr Phillips's ability to understand the financial aspects of this place.

Mr Phillips predicted there was going to be a \$5-billion deficit. Another minister over there predicted it would be about \$4 billion.

I know and we know that the Liberals went into the election knowing there was going to be a big deficit, and they made tons of promises, tons of promises they knew they couldn't keep.

Mr McGuinty said time and time again—I'm going to read to you—and people listened to this and believed this, and it meant something to them.

"I think the most important thing to do at this particular point in time is to put a cap on those rates through to 2006." That was Focus Ontario, November 23, 2002. That was then.

"We will keep the price cap in place until 2006." That's from Hydro You Can Trust, The Ontario Liberal Plan for a Modern, Public Hydro, released September 2003. "Hydro You Can Trust."



"The Liberals, meanwhile, frontrunners in the polls, vow to maintain the rate cap at 4.3 cents per kilowatt hour until 2006—the same timeline the Tories have promised." That's from the London Free Press, September 30, 2003.

"Dalton McGuinty says a Liberal government would build additional hydroelectric generating plants.... McGuinty also said he would keep a rate cap in place until 2006 and keep hydro in public hands." That's from Broadcast News, September 29, 2003.

"Liberal leader Dalton McGuinty said his party would keep hydro in public hands." That's from Canadian Press, September 8, 2003.

McGuinty "said the 4.3 cents a kilowatt hour freeze on rates will go sometime after 2006...."

"It's going to add to the hydro debt and if there was another way around it, I would be delighted to entertain it. It's going to have to come out of rates. It's going to be like a mortgage and we will"—all—"have to pay it a little longer." That's the Toronto Sun, September 6, 2003.

Remember, before the new Premier voted for the cap, he opposed the cap. He said, "This is a quick fix, a transparent attempt to buy votes, to buy favour with our own money." He said that back on November 15, 2002.

So what New Democrats continue to say is that we know this is a very complicated and complex issue, but there are some simple answers to at least the beginning process of fixing it, and that's to keep our hydro in public hands and immediately end hydro privatization and deregulation and, as well as that, to get very, very serious about conservation and efficiency plans, because what we have before us is not about conservation and efficiency; it's about keeping our hydro in private hands. So there are fees being paid—the middleman is getting paid—but there's no comprehensive conservation and efficiency plan.

1610

During the election, David Suzuki came to Toronto. It was an election and everybody was really busy, I know. I went to hear what Mr Suzuki and others from the foundation had to say. They had an expert from California come up to talk about what Ontario needs to do, and indeed what Ontario can do, to bring in real conservation and real energy efficiency plans. And yes, it will require some resources; there is no doubt about it. As California did when they deregulated and found themselves facing blackouts and brownouts and all kinds of problems—industry shutting down, jobs lost, the whole thing—they had to get very serious. In fact, California has always been a leader in conservation, for a number of reasons that I don't have time to go into.

I recommend everybody read this—Bright Future: Avoiding Blackouts in Ontario. There are some very good recommendations as to where we have to go if we're serious about conservation and efficiency. There are also some very good suggestions, as I said earlier in my two minutes in response to the member from Oshawa, from the alternative fuels committee, which I

sat on. Some of those would take more time than others; some of them are doable right now. But we have no choice than to seriously get on, not with worrying about and trying to build new generation—yes, perhaps we need to go ahead with Adam Beck. But I am not in favour of going out there, all over the place, and producing all kinds of new generation and making that the flavour of the month, the serious issue; that is, we don't have enough generation and we've got to ask the private sector in public-private partnerships, which is what's happening now, to build new generation. Instead we should, and could, be focusing all our energy, if I could use that word, on real energy conservation and efficiency programs. We don't have to reinvent the wheel here; they already exist. There are so many good ideas, even here in the city of Toronto: the better buildings program—retrofitting buildings. There are all kinds of things we can do.

Good tips is just not good enough. When the Minister of Energy made his announcement on this bill, he said there are good tips out there for conservation and efficiency. We need real incentives, real programs and, yes, real resources dedicated to conservation and efficiency. Not only is that the right way to go, it's also the right way to go in terms of our environment—cutting down on the number of people who die every year.

The latest information on mercury—we've always known mercury, as well as lead and dioxins and so many other things we breathe in, is a problem. But the latest study on mercury—tons and tons of it spew out from coal plants every year, and our children were all breathing that in. We now know, more than we ever knew before, that mercury is more dangerous to children's health—all the more reason why the commitment to close down the coal plants by 2007 is critical. The only way we're going be able to do that is to bring in serious conservation and efficiency programs.

One of the things that's really annoying me—I listen with great interest to so many of the members who are standing up. Talk about spin and using words, creative words, to wiggle out from under this major broken promise, always going back to, "There was a deficit we didn't know about," which the Tories still deny there ever was.

We knew. We said continually, before the election and during the election, that there was a deficit and the only way to keep a whole bunch of promises was to raise some taxes, and we said we would do that. The Liberals said, "Don't worry, we can do all these things without raising taxes," and are now saying, "Gee, there's a deficit. We didn't know about it, so we can't keep our promises."

It really annoys me to hear all this spin. For instance, the Liberals' new slogan for breaking what they called ironclad promises is now "taking responsible action." So, breaking ironclad promises now is about taking responsible action, or because of this "unknown deficit, this deficit we didn't know about, we now just have to 'accelerate our agenda.' We were going to get rid of

those rate caps anyway in 2006. But because of the unknown deficit”—

**Mr Dominic Agostino (Hamilton East):** You opposed the rate cap.

**Ms Churley:** Come on, Dominic. I've already addressed that. You missed that part of my speech. I addressed it.

A broken promise is a broken promise, and they knew that there was a deficit, and we're not going to let them get away with trying to hoodwink the people of Ontario and say, "We didn't know about a deficit," where we have evidence that they did know. Now they're saying, "Because of this deficit we didn't know about, we have to accelerate our agenda." That's the weirdest spin on this I've heard yet: "After having promised to keep rate caps on until 2006"—we're going on to 2004, so more than two years away—"because of that, we have to break our promise and we're going to lift those rate caps now."

In closing, I will say this: Some people, because of the rate cap and the way it's going to happen, will not be affected that much. But think about people in apartment buildings. Think about some of our industry. Think about the people who are going to be affected. Also think about the people who believed that promise and planned their businesses, their lives, accordingly.

People were talking about minimum wage, for instance, and we got \$8 over four years. Tack that on to increases in hydro and all of the other increases and things—people making the minimum wage are actually going to be having less money in their pockets under the Liberal government than they had under the Tories. The Liberals are now going to raise taxes for low-income people.

Madam Speaker, I'll leave it at that for the moment. Thank you for this opportunity.

**The Acting Speaker (Ms Caroline Di Cocco):** It is now time for questions and comments.

**Mr Agostino:** I enjoyed listening to the member from Toronto-Danforth and agree with almost everything she said.

First of all, I find it interesting coming from a party that ran a platform that was going to raise taxes by \$1 billion in this province to the people of Ontario. Public auto insurance was the centrepiece of their platform. But if you look at their financial breakdown and their cost estimates, it wasn't anywhere to be seen—as usual, irresponsible opposition promises.

Let's think about this for a sec. The NDP—the same party that opposed a price cap—voted against our lifting of the price cap. This is the same party that opposed a price cap. So I'm trying to figure this out. You oppose it; then you think we did something that you'd want us to do, which was lift this; and you still vote against it—typical opposition politics.

That's the beauty of opposition, I guess. You could just say whatever you want. You could be totally irresponsible with your commitments and your promises, but that reality changes when you're in government.

**Mr Howard Hampton (Kenora-Rainy River):** You must be talking about their energy policies.

**Mr Agostino:** Your leader, Mr Hampton, who just walked in, of course had that luxury throughout the campaign: a stunt a day, nailing Jell-O to the wall. He wrote a book which spoke against price caps, but then voted against the legislation that would lift those price caps.

I find it quite fascinating, but this bill, for the first time in the history of the province, actually encourages conservation. It actually works to say to people, "If we can work together for the problem we face—there's not enough production of energy in this province, and until we deal with that, this hydro monster is not going to go away."

We have been responsible, and the member for Toronto-Danforth mentioned that it would have been irresponsible of us to continue down this road from both the point of view of fiscal responsibility and of encouraging energy conservation. I look forward to other comments on this.

1620

**Mr Dunlop:** I wanted to congratulate the member from Toronto-Danforth for her comments today. As she said earlier, she got into politics just for that reason: She was interested in some of the incineration projects that were taking place in the province. I don't know how many years ago that was, but I know that today the same kinds of issues are still there.

It was interesting, listening to the member from Hamilton speak, when he said that in the opposition you can say whatever you want. I just love reading back in Hansard. It's one of my favourite pastimes now, looking back over the last four years and seeing what the opposition members actually said. It's amazing what they said during the election campaign, the number of promises. There are 231 in that Toronto Sun article, but across the province there are another 100 promises in each riding. So there were literally thousands of promises being made to the residents of our province of what they were going to do once they got in power. I'm looking forward to the next four years, to be quite honest, to see how many of those promises we can actually fulfill, not only in the riding of Simcoe North but in all the different ridings across the province.

With regard to hydro and the generation, I want to make a quick comment on that because I think one of the biggest problems we've got is finding the proper generation down the road. At this time, I wish we had a lot more huge dams and huge rivers in our province than we probably have. One thing I really hope we can do—and I wish the government all the best in this endeavour—is to tie those two contracts in with Quebec and Manitoba. I think that's key because there are some large projects in those areas that we should take advantage of. However, we've already signed the memorandum of understanding. You can carry on with that now, and we're looking forward to that. Plus, we're looking forward to those coal generators being eliminated by 2007.

**Mr Hampton:** I want to congratulate the member for Toronto-Danforth for exposing the reality that there is no



conservation plan in this legislation. There is no electricity efficiency plan. What this is, is the substitution of a Liberal rate cap for a Conservative rate cap, but there is no conservation plan and there is no energy efficiency strategy. The Liberals want to pretend, as the Conservatives used to pretend, that if you jack up the price of electricity, somehow that's a conservation plan.

In California, after they let the Enrons and all of your other corporate friends run the electricity system there, they drove the price of electricity through the roof. But electricity is an essential service. Even if the hydro bill skyrockets, people still need it. You can't go unplugging the refrigerator, letting all your food spoil, and call that conservation. When it's 20 below out, you can't turn down the thermostat and let everybody freeze and call that conservation.

This is an essential service. Jacking up the price, which is what you propose to do, as they proposed to do, merely means that seniors who are living on fixed incomes, people who have low incomes, can't pay their hydro bill and then you're going to have to figure out what to do before somebody freezes in the dark or before somebody can't afford to pay.

Similarly, jacking up the hydro bill means that sooner or later you put all kinds of important industries in this province in a very tough position: the steel industry, the pulp and paper industry, the mining and smelting and refining industry and, yes, the auto assembly industry, all of which use substantial amounts of electricity. Some will decide to close or they will decide to relocate outside the province. Merely raising the price isn't an electricity efficiency strategy and isn't a conservation strategy. Stop trying to pretend it is.

**Mr Bill Mauro (Thunder Bay-Atikokan):** It's my pleasure to rise here today to address this issue. I think what we need to do is remember a little bit on how we arrived at this situation in the first place. We all know that 4.3 cents a kilowatt hour is not sustainable within the context of a \$5.6-billion deficit. We all know that. So how did we get here?

I'm sure the members from Toronto-Danforth and Kenora-Rainy River will remember that in the early 1990s, the then Liberal government had signed a great agreement, a terrific agreement with the province of Manitoba for a supply of energy that would have been on stream now at a very affordable cost to the consumers of Ontario. It would have been a great deal but it was cancelled by the NDP government in power in the 1990s. That's who cancelled it. We know.

Where are we on supply? The members on the other side of the House, in their eight years in power, did absolutely nothing to address the situation of supply. Why is that?

*Interjections.*

**The Acting Speaker:** Order. The member for Kenora-Rainy River, please come to order.

**Mr Mauro:** Why is that? Because the members on the other side of the House felt that privatization was going to be the panacea. For eight years they did nothing to

address the supply problems that were facing the province. That is why we are where we are today.

The member for Toronto-Danforth also probably remembers that in their five years in power, in the 1990-95 era, hydro costs to the consumers of Ontario increased by approximately 40%.

This bill is also good because it will help local distribution companies address the cost constraints that have been placed upon them since this cap was put in place. Thunder Bay Hydro faces serious financial issues as a result of this cap and I'm thrilled to see it removed.

**The Acting Speaker:** The member from Toronto-Danforth to wrap up.

**Ms Churley:** I could go on for hours in responding to all of those two minutes. First, to the member from Hamilton East, I'll tell you, what is irresponsible is making promises you can't keep. That's what is irresponsible.

**Mr Hampton:** And never intended to keep.

**Ms Churley:** And never intended to keep, because they knew, as Gerry Phillips, now their Chair of Management Board, said, there could be a \$5-billion deficit.

*Interjection.*

**Ms Churley:** Yes, you did so know that. Come on. That is disingenuous; and we're allowed to use the word "disingenuous," but you know what I mean.

I want to quote what Dalton McGuinty said, because the previous speaker mentioned that the NDP government didn't bring in more power from Manitoba, but we did bring in energy efficiency and conservation programs, which I will argue we need to focus on now. Here is what Dalton McGuinty had to say: "Does the minister continue to support the Manitoba purchase? We now know it's cheaper to produce this electricity in Ontario than it is for us to buy it from Manitoba. We now know that if we cancel the deal today, it's going to cost us \$82 million, but if we wait until the end of the environmental assessment hearing, it's going to cost us over \$200 million." Dalton McGuinty, April 30, 1992, "And when the NDP government launched an ambitious"—

**Mr Hampton:** Dalton McGuinty wanted the deal cancelled?

**Ms Churley:** But listen to what he said about energy efficiency strategies to reduce Ontario's power usage.

*Interjection.*

**The Acting Speaker:** Order, please.

**Ms Churley:** This is what Dalton McGuinty said about that then: "We are struggling under the weight of a recession and the government's policy of conservation is going to cause rates to go up, at least initially." Dalton McGuinty, in opposition, when we were the government, opposed energy conservation because it might make the rates go up. He opposed bringing on new power from Manitoba.

**Mr Hampton:** Dalton McGuinty is against energy conservation and energy efficiency? My, my.

**Ms Churley:** My, but that was then and this is now.

**The Acting Speaker:** Further debate.

**Mr Ernie Parsons (Prince Edward-Hastings):** I enter this debate with some concern. It seems that in this debate the emphasis is on volume rather than facts or quality of debate.

**Mr Hampton:** Your consistency hasn't gotten any better.

**Mr Parsons:** That's a good point to raise on consistency. I can recall a firm commitment made during the 1990 election to have public auto insurance—the absolute cornerstone, keystone of it. We believe in traditions in this Legislature and within our parties, and evidently one tradition within the group is, every election, to promise public auto insurance. But it makes it somewhat not credible when you don't cost public insurance in your election platform. Very clearly you made a promise that, had you become government, you did not intend to keep. You knew you weren't going to keep it, so why bother costing it and putting it in the program? Shame on you.

I can recall a day quite some years ago when my wife and I were travelling to Toronto.

*Interjections.*

**Mr Parsons:** Speaker, I can't even hear myself.

**The Acting Speaker:** The discussion is interesting on all sides of the House. I know that everyone is going to be courteous and listen to one another so that when there are questions and comments, everyone can respond accordingly. Thank you.

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**Mr Parsons:** Thank you, Speaker.

And listen carefully. This is a homily; this is something you want to take with you when you leave here today.

Some years ago, when our oldest children were of course younger, we had made a promise to take them to the zoo in Toronto, and I don't mean the Legislature; I mean the real zoo out on the edge of town. While on the way there, our car quit, and we did not end up at the zoo that day; we ended up being towed back to my community. I suspect that day our children felt that I had broken a promise to them. We had committed on that day to going to Toronto and we didn't do it. We did eventually do it. We made up for it. We delivered on our commitment, but it didn't happen that day. To say that we're doing something differently and we've broken a promise is grossly wrong.

We've heard the statement yelled across the floor that we knew there was a \$5.6-billion deficit. Now listen: The Conservative government's cornerstone of all of their actions was, "We are superb financial managers." They said, "We may be a little hard on people at times; we may even be cruel"—no, I think it was actually we who said you were cruel—but the cornerstone for the previous government was, "We're superb financial managers." You can rest assured that if we'd known they in fact were running a \$5.6-billion deficit, we would have hammered it like crazy during the election. They said it wasn't, we had no access to the numbers, and our campaign promises and commitments were based on what we believed to be correct information at that time.

For the past week we've been lectured from across the aisle on making a change, not doing what we said we would do, changing our minds, flip-flopping. This is perhaps an excellent opportunity to have a little history lesson on how things have unfolded in relation to electricity and unfolded over the last eight years.

Let's start off with: On April 26, the Premier at that time, Ernie Eves, said he was selling Hydro One. So on April 26, 2002, he's selling Hydro One. That was a decision, a pretty firm-sounding decision. But then, on May 2, 2002, he said that selling Hydro One was off the table. That was a second decision, which would infer was a flip-flop from the first one. On May 8, Ernie Eves said, "Hydro One is back on the table," and on May 15 he said he didn't really know what to do with it but he was asking Bay Street to figure it out. We're up to number four.

I'm sorry if this is hitting a nerve, but some of you may not have access to the number of flip-flops, and this actually is very informative for you so that you can learn from the mistakes in your past and start fresh on making new mistakes.

On May 16, he wanted to make it a public corporation. That was firm decision number five. On May 30, he introduced legislation to sell Hydro One. On June 7, he was going to scrap the public stock offering, so it's not for sale now.

*Interjection.*

**Mr Parsons:** No, he wanted an income trust on June 7. On June 13, he decided to kill the whole public offering once and for all. That lasted from June 13—this is fascinating history—till July 6, when he decided to sell half, just half of it. That, by the way, was decision number nine.

On January 17, he said he didn't have to sell Hydro One at all. That was decision 10. Then, on November 3, after the election, Tim Hudak, a former cabinet minister, told reporters that there were secret plans to sell off Hydro One, the Liquor Control Board of Ontario and pieces of Ontario Power Generation.

So, people across the aisle, do not raise the issue of people changing their minds, because your party has led the province in the number of changes on Hydro One.

**Mr Hampton:** What was Dalton's position on privatizing Hydro One?

**Mr Parsons:** I will not respond to you in any way, because you're simply looking at a cheap way to plug your book. I will not help you foist your book on the people of Ontario.

If ever there was a boondoggle in this province, it has been the handling of Hydro One. It has been the handling of electricity in Ontario. We have seen a multitude of actions take place in the last eight years that put the very health of our electricity system into jeopardy. I would challenge most of you to tell me simply the number of times that you're losing electricity, whether it be for an hour or two, or for a minute or two, in your house. We saw a system that was treated as a political football by the last government, rather than as the absolutely necessary service that it is.



One concern that I think every one of us should have is that not only do we have electricity in this province, but our children and our grandchildren will have electricity. We should not, as individuals or collectively, enjoy benefits that our grandchildren are going to have to pay for. The pricing that was put in place by the previous government was going to force our children, and potentially grandchildren, to pay for the cost of maintaining electricity. The premise for Hydro when it was originally founded—originally founded, I believe, by a Conservative government; I've read the book—was electricity at cost, but we got a swing in the last few years from electricity at cost to electricity at profit and then back to electricity at a loss, when we all know that it needs to be electricity at cost. Nobody wants to pay more taxes, nobody wants to pay more for electricity, but it is absolutely vital that the system itself remain healthy and viable.

For my house, for last month when I got my bill, had the new pricing been in place now, it would have cost me \$16 more for that month than I pay right now. But then I have a drive in the evening, and you know, folks, we do waste electricity in this province, particularly at this time of year when we've got the darkness setting in early. Right within the vicinity of this building we can look out and see literally hundreds of thousands or millions of electric lights that are on. The system put in place at a flat 4.3 cents provided no incentive whatsoever to conserve electricity. We know that about 60% of the households in Ontario use less than 1,000 kilowatts a month.

This system in Bill 4 will truly provide encouragement to people to reduce their consumption. It will also do something else. With the two-cost system that more accurately reflects the cost of electricity, there is a need to encourage both conservation and the development of additional sources of electricity. The fundamental problem is a shortage of electric generating power within Ontario. The fundamental problem is a shortage. We have seen no new generation come on line in the last 13 years in Ontario, while at the same time we are seeing this province grow. Industry and individuals depend on electricity and all we've seen are systems going off-line. In fact we've seen some water power plants sold; they've left the system. We've seen a nuclear power plant leased out for 19 years.

*Interjection.*

**Mr Parsons:** Well, plant. I'm sorry if the word is wrong. We've seen a nuclear power plant leased for 19 years. I'm surprised you want to talk about that lease.

*Interjection.*

**Mr Parsons:** Certainly, you'd have sold this Legislature if you'd thought it would have gotten you re-elected in this province.

We need more generation. Not all of it will come from water. Not all of it will come from natural gas. There are alternatives. We have alternatives such as—

*Interjection.*

**Mr Parsons:** I think I'm getting to them, but I don't mind. I can sense their unhappiness in sitting over there,

but at least they're going to get comfortable shortly. I'm happy that we're seeing some progress made to ensure the future viability of electrical supply.

Windmills are eventually going to be part of the answer in the province, but when electricity was at 4.3 cents a kilowatt hour, windmills were not economically viable. If we are going to encourage other sources of electricity, we have to make it viable. I had the privilege to sit on an all-party select committee on alternative fuels. It was a fantastic report that the previous government put on the top shelf somewhere, but it needs to be reviewed and examined because it addressed the reality that we have a crisis coming. Natural gas is not an unlimited supply in this province, or in this country. We have to have alternative plans in place, but they have to be financially viable. At 4.3 cents a kilowatt hour, there was no incentive whatsoever for industry or indeed for government to come forward with additional sources of generation, because there simply is no money in it. Now we have a pricing structure, the industry has said to us, that is such that it is of interest to them to develop some more proposals.

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Part of our future, no doubt, lies with natural gas. We know that coal has to be phased out, and I applaud our leader, Dalton McGuinty, for saying by 2007 it will be gone. In my experience as a school board trustee and as a board chair, when I was first elected to the school board in 1982 and I visited schools, schools would have one or two puffers located in the school office because there would be one or two children in their student population who required them because of asthmatic problems. Now you visit a schoolyard and you see a significant number of children who actually carry the puffer with them because there are now too many for the school to keep within the school office. So students have to self-manage their asthma.

We may have got what appeared to be cheap electric generation off the coal, but on the committee for alternative fuels, one of the questions that I asked several times was, "What is the real cost of electricity produced by coal?" If we look at the smog, if we look at the health concerns, if we look at the premature deaths caused by coal-fired plants, what is the real cost? It really could not be easily calculated, although I understand some other jurisdictions are trying.

So again, I applaud Dalton McGuinty for the commitment that they will be gone, but we need to have extra generation in its place. We need electricity, whether it be from within Ontario—and certainly I think the goal of everyone is to be self-sufficient, but we need electricity from outside. Unfortunately, I believe Bob Rae when he was Premier cancelled the agreement with Manitoba that would have provided us with substantial quantities of electricity at costs that now look like give-away costs. Connections were not physically built or maintained between Ontario and Quebec or Ontario and Manitoba. I find it of great interest that during the blackout last summer the lights didn't dim in Quebec. Here we have a

neighbour next door that has a great deal of surplus electricity, and the previous government made no attempt whatsoever to put an electrical bridge across the river and purchase electricity from them. Obviously that has to be part of the solution. We need the generation for it.

I talked about consumer protection. There were brief moments there a year ago when electricity got as high as \$2 a kilowatt hour, not for very extended periods of time but during the peak periods. What was going through someone's head to deregulate a product that's in short supply? We watched with great interest what was going on in California, we watched Alberta, we watched a number of other states and realized that there's a North American shortage of electricity. So we went from a regulated price to an open market? Someone wasn't really thinking as clearly as I would have hoped on that issue.

Consumers were forced to pay higher costs and were not able to budget—literally were not able to budget. Is electricity that is going to be shown on their bill purchased at four cents a kilowatt hour or is it purchased at nine cents a kilowatt hour? There was no ability to plan, and for small businesses that often experience cash-flow problems, it was a real crisis when a bill would come in at two or three times what they had expected it would be.

So certainly there has to be a requirement that we provide consumer protection, and this bill does that. It will protect residential and low-volume consumers, and it's going to be a regulated price, not the spiked price that was experienced there for a time.

It will be regulated not by politicians—and I think if you just look at the behaviour in this House over the last week or week and a half, you'd say, "I'm certainly glad it's not politicians that are going to control the prices." An independent body, the Ontario Energy Board, will set the price and has been mandated to have a very open and clean process as to how they set the prices. That should be in place by May 1 of next year so that there will be long-term certainty to the price of electricity in Ontario.

It's going to be regulated—not what's in the best interests of electricity distributors or the generators; it will be regulated on what is in the best interests of the citizens of Ontario. That should be a given, but it isn't. It is finally the Dalton McGuinty government that has said, "We will stand up for Ontario citizens, not big business, not just the wealthy, but we will stand up for everyone in this province equally." So it will be regulated on the basis of what is good for everyone.

Even after the removal of the cap, it is important our electricity prices be such that we can be competitive with neighbours. We will be competitive with New York, Illinois, Massachusetts and Michigan. Quite frankly, one of the criteria of firms looking to locate is not, should we locate in Ontario or should we locate in Texas? They're looking for an area that says, "We sell a lot of our products in this area, so we'd like to locate in an area that makes the shipping relatively cheap and fast to get our finished product out to the customers." The question they

would ask is not Ontario or Texas, but should it be Ontario, or New York state or Michigan? We're competitive on our taxes and we're competitive on our electricity prices, and will be. This should, in fact, encourage industry to come to Ontario.

We have made a commitment that if the interim price that is established turns out to be higher than the true cost, all eligible consumers will receive a credit for the difference, once the Ontario Energy Board implements their pricing mechanism. Notice that they'll receive a credit. They won't receive bitsy cheques that cost millions of dollars to write and send out in an attempt to buy re-election, which, by the way, didn't work. It will be a credit against the account, so that it is very quickly and efficiently applied to it.

*Interjection.*

**Mr Parsons:** Oh, not at all. I've got so much to say and I'm realizing I only have two minutes. I could go back to lecturing you, but I'm not going to.

I'm going to tell you that the government did something right last time. They actually did something right. They put in place a program that rebated the provincial sales tax. Just so you can go home and say, "You know, in the eight years we did do something right," this is the right thing you did. You may want to write that down, because most of the people in Ontario clearly forgot it in early October. They gave the sales tax rebate. Our Minister of Finance has already made the commitment that we will continue with the sales tax rebate to encourage people to buy more energy-efficient appliances.

If you look at people who have appliances that are 25 or 30 years old—I've been guilty of that. We had a refrigerator that we bought when we were married, and it still worked fine except it was wearing out the bearings on the electric meter outside the house. We calculated that it was actually cheaper to get rid of that refrigerator and purchase a new, more energy-efficient one. It seemed like a lot of money, but it's got a relatively quick pay-back that not only will save money for us but will save us having to build another generating plant. I think that's important. People don't realize how much energy we can save collectively simply by turning off lights, going to more energy-efficient appliances and making wilful, conscious decisions. This bill with the two-price structure, I think, will accomplish a lot of that. It will get the message to people that together we can actually eliminate the need for one entire generating plant in Ontario. That may not show up instantly for you, but that saves the people of Ontario a substantial investment in electricity and helps to keep the prices down.

I applaud Bill 4, the Ontario Energy Board Amendment Act. I think it deals with reality. It corrects the illusion that electricity actually costs 4.3 cents and acknowledges that the other costs in it need to be included. This is a bill that introduces openness and honesty to electric pricing.

**Mr Dunlop:** It's a pleasure to make a few comments on the speech by the member for Prince Edward-Hastings on Bill 4.



I certainly think he brought out some very interesting points on conservation. I didn't realize he was actually part of that alternative energy and fuels committee that did the touring across North America and, I think, Europe as well. I'm not opposed to that, because I think we certainly have to be looking at every viable option that's possibly out there.

He also talked a little about some of the environmental concerns. I think that's one of the areas I'd like to make a few short comments on, and that's this promise that the Dalton McGuinty plan had for the removal of the coal-fired generation by 2007.

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I don't know how much background has actually been done on that. I would like to see that happen, and I wish the government all the best, and good luck in seeing if they can pull that off. However, I'm not so sure that we have the capacity with natural gas to handle that type of additional load at peak periods. It will be very interesting to watch the design of those coal-fired generation systems. I don't think it's possible to do it by 2007. We looked into that in a fairly detailed manner and found that it would be 2012-14 before that could be done. Where you got 2007 from, I don't know, but it will be really interesting to see if you can fulfill that promise. I wish you luck in doing so, but I think it's an impossible task at this time.

Madam Chair, thanks for the opportunity to say a few words.

**Mr Hampton:** I listened intently to a speech by the Liberal backbencher that attempted to portray that this bill somehow creates an energy policy. I wish to inform him that I read this bill very carefully. There is no energy policy in it; there's no conservation strategy; there's no energy efficiency strategy; there's no strategy to deal with the coal-fired generating stations; there's no strategy here to deal with that debacle called Pickering. What there is, really, is a government which has essentially adopted the privatization and deregulation strategy of the previous government but now wants to, shall we say, polish it up a bit and give it a sugar coating.

For example, when I listened to the Premier and the Minister of Energy talk about how new supply is going to be brought on, it sounds very much like the same policy that the previous government was following. There will be some private sector gas plants, but private sector gas plants involve those same private sector companies that want the price of electricity to go up to around six cents a kilowatt hour—maybe 6.5 cents. When we inquire what's going to happen to the likes of Direct Energy, which don't generate electricity, they don't transmit electricity, they don't distribute electricity, they simply engage in speculation and add another 20% or 30% to the hydro bill, it seems like nothing is going to change.

So, while I appreciate the member's attempts, please don't try to pretend that this bill is an energy policy or an energy efficiency policy. It's simply exchanging a Liberal rate cap for a Conservative rate cap.

**Mr Bob Delaney (Mississauga West):** The days of using energy as a political football are over. We owe it to

the people of Ontario to ensure our government looks to the long term and ensures that Ontarians will have sufficient base-load capacity and also peak capacity during weather that's both hot and cold in our province.

With the proposed legislation, our government is taking an approach to energy pricing that better reflects the true cost of electricity. Through this plan, we are delivering on our commitment toward fiscal responsibility and fair and responsible government to the province of Ontario.

Consumer protection will be the hallmark of this government's electricity policy. The proposed legislation will ensure that Ontario electricity consumers have fair, predictable and stable rates that better reflect the true costs of this vital commodity.

The proposed plan will protect residential and low-volume consumers—and that includes most people in Ontario—from the volatile price spikes we saw in the summer and in the fall of this year when the Tories were in power.

Should the proposed legislation pass, Ontario will have stable and predictable pricing so that our families, our small businesses and other low-volume consumers can better manage their energy costs.

**Mr Gilles Bisson (Timmins-James Bay):** Madam Speaker, glad to see you again. You're in the chair quite a bit lately, and I've got to imagine there is some reason for that. Nonetheless, I want to welcome you back to this assembly.

I find it's a little bit odd, as far as what's happening in debate as we go through this legislation. You'd remember, Madam Speaker, not too long ago we had an opportunity to debate this very type of legislation when the previous government, the Conservatives, actually had gone out and introduced legislation about two years ago that did essentially the same thing. The legislation that a Conservative government had put in place both opened the electricity prices to the market and allowed for privatization. When the government tried that, it was an abysmal failure. It really didn't work.

All kidding aside, all members of the assembly have constituents, from the retail customer to the large utility customers like Falconbridge to mom-and-pop operations, that are just fit to be tied. They said the government supposedly tried to do something to give energy consumers a rate cut, and what they got was a huge increase. Hydro prices went through the roof. I remember the Liberals were in this House and were just assailing the Conservative government, as were we, because we thought, and I imagine the Liberals thought, that the government had done something wrong. I had to believe that the Liberals thought, "Boy, if we only could get a chance to be government some day, we're going to be more clever than the Tories. We're going to be different. We're going to find a way to make sure that we roll back these changes that the Tories had put in place." Now they get elected and, my God, they're trying to do the same things that the Tories did. It's like the Oak Ridges moraine or the P3 hospitals stuff. They use different

language, but at the end of the day, what you're doing is essentially the same thing.

I predict, as we had predicted when the previous government tried to do this, at the end of your process, which is about a year and a half from now, energy prices will go through the roof in the province of Ontario. They say, "Don't worry, because we're going to send off the rate increases to the Ontario Energy Board." Aren't they the same bozos who increased the price of natural gas by 30% this year? I say, consumers beware. Liberals might say one thing before an election, but they certainly act quite differently. That's maybe why we call them "Fiberals."

**Mr Parsons:** I thank the members for Simcoe North, Kenora-Rainy River, Mississauga West and Timmins-James Bay for their comments. I would say that you really need to be less negative. Life's much better if you're less negative. Let's look at the pluses that exist in this bill.

The issue was raised about being able to eliminate the coal-fired plants by the year 2007. We absolutely believe it can happen. There may be the reality of not producing enough electricity internally within Ontario to do it, but electricity from Manitoba and electricity from Quebec works just as well in the lights and motors in this province as electricity produced here. After 13 years without new power generation being built, there certainly is catch-up for this government to do. Yes, we believe it is possible, and we believe it will happen.

The statement's been made that this bill contains no incentives for conservation. I had the opportunity this morning of being on a phone-in show as a guest for two hours while people phoned. Quite frankly, probably the biggest issue was electricity. An interesting comment from a lot of the people was, "Thank you for making the price realistic." There are very few people in this province who believed that the real price was 4.3 cents. They knew it was a political price. But with the breakdown in the prices, the question was, "What do you do to reduce your consumption to 750?" There was very clearly a financial incentive for individuals to lower their consumption. It doesn't require turning the heat off any more than the oil prices going up required it. What it requires is some thought and some planning.

When we heard a year ago that, thanks to these low prices, we can now turn on our Christmas lights, I thought that was a pretty flippant little attitude toward the issue of electricity in this province. It is very serious business. It is a very serious issue, as we found out in the blackout last summer. People need to be encouraged. This provides a financial incentive to encourage it.

The government itself is going to undertake some conservation. There are things that can be done within government operations, in the buildings. The people of Ontario are intelligent enough to know what to do.

**The Acting Speaker:** Further debate? The Chair recognizes the member from Oak Ridges.

*Applause.*

**Mr Frank Klees (Oak Ridges):** I want to thank the members from the Liberal Party for that applause; it's much appreciated.

It's my privilege to speak to this bill. I found the comments of the member for Prince Edward-Hastings interesting. It's interesting how they are able to rewrite history so effectively. It's interesting how they're able to forget what this world was like a few short months ago; in fact, about two months ago.

I would like to remind the honourable member that promises in an election campaign are what the government will be measured against in terms of its credibility. Regardless of how people may have felt about individual policies of our government, I would say that one of the things I took a great deal of personal satisfaction in was that people often would say, "I don't agree with what you have done as a government"—we know you can never please everyone, but one of things that consistently was said about our government in the course of the last eight years was, "I didn't agree with what you did necessarily, but I do respect the fact that you did what you said you were going to do."

I believe that over the course of time, over the last number of years, our government did a great deal to re-establish trust with people in this province, and I believe it was an example for governments across this country that you speak the truth, that you are straightforward with the people you represent, with the people in the province or in your jurisdiction. You agree to disagree on some issues, but at the end of the day what is important is that you do what you said you were going to do.

It's disappointing to me, as I know it is disappointing to people across this province who had high hopes about the promises that were being made by this government over the course of the election campaign and before, that they would be able to take the leader at his word, that they would be able to look at promises that were made and see those promises actually fulfilled. What is so disappointing, whether it be with regard to the energy bill that's before us today or whether it be on a myriad of other issues, is that this government, in a very short period of time, has probably done more to set back politicians and the credibility of government than any other government I can remember.

So we have a challenge, frankly, as a Legislature—all members, all 103 of us in this province have a challenge—of how we explain to people in our constituencies that they have reason to continue to trust what their politicians are telling them. The only word we have is that fortunately elections do come once every four or five years. And we'll see if this government keeps its promise with regard to the issue that they're going to set firm election dates—I would expect that if they do, it will be once every four years, which is the traditional way of doing it—or whether they will break that promise as well.

I think it's important that we set the record straight for people in this province when they hear the recurring theme of this government—whether it be the Premier, the



cabinet ministers or, as we just heard, the member for Prince Edward-Hastings—that the reason they justify not keeping a promise is because of the supposed deficit they found.

Speaker, you know the fiscal year-end of this government is not until March 31 of next year. That gives us a number of months to deal with the issue before us. The fact of the matter is that we realized when we were in government that as a result of SARS, mad cow disease and a historic energy failure that affected the entire northeastern seaboard of North America, there were unexpected costs that had to be incurred by the government of this province. At that time, those of us who were in cabinet were told in no uncertain terms by our Chair of Management Board and our Premier, “Go back to your ministries, do your program reviews—we have these challenges that we have to face—and do what has to be done.” Each ministry was given its responsibility to bring in their recommendations, their undertakings and their commitments to ensure that, come the end of the fiscal year, there would in fact be a balanced budget.

This government, while in opposition, knew full well the challenges this province had. They made reference to it. So they knew that would be their task as well, if elected. They chose to ignore that fact and now they continue to try to use that deficit story to justify breaking trust with the people of this province.

It's not working. I'm hearing from people across the province who are saying, “This song is wearing thin. I don't buy it any more.” People see through it. They know the truth, and it's important that you folks over there get to understand that sooner than later, because you won't be able to continue to play this theme and be in a position of trust with the people of this province.

Let's talk about energy. Let's talk about this bill now which is just one more broken promise in the string of broken promises of this government.

*Interjection.*

**Mr Klees:** You know full well, I say to the member opposite from Hamilton East, how many times in the course of the election campaign you said, as did the Liberal candidate who was on platforms with me, “We will not lift the rate cap.” How many times did you say it? The fact of the matter is that their leader said it. The fact is that the current Premier of Ontario said that many times, knowing full well what the fiscal challenges were. However, he broke that promise as well.

We have before us a new bill that outlines exactly what they're going to do. What's very interesting to me is that this bill is represented by the member opposite as the Liberals' new energy policy—scary, I might say, as the leader of the non-existent third party indicated earlier. This is certainly not an energy policy. In fact, as I read this, many times throughout the course of this supposed bill that hammers down or gives us the parameters of the new Liberal energy policy, I see nothing more than references to regulations to be, regulations that will in fact hold the content of what is really going to affect the people of this province. Then I see references to the fact

that the minister will make most of these decisions. The minister will in fact direct what will happen. That's scary.

I might add that in the course of the last eight years, whenever a bill was being discussed in the House, it was always our practice to ensure that at least the minister or the parliamentary assistant was present in the House for that debate. Perhaps there should be something in the standing orders that requires that, because it's unfortunate that we don't have that here today. The minister should be here; the parliamentary assistant, at least, should be here to engage in this debate, to hear what's being said. We have a new Minister of Energy.

**1710**

**Mr Levac:** On a point of order, Madam Speaker: The member opposite, in his speech, knows full well, because of his expertise and long-time standing in this place, that mentioning people's attendance in this place is not appropriate, and on purpose indicates that they do not know what's going on and being spoken of. I'm sure that he would like to withdraw that kind of comment.

**The Acting Speaker:** Thank you for the reminder.

**Mr Klees:** Actually, I won't withdraw the comment because what I was referring to was a practice of our government, that the minister or the parliamentary assistant was always there. I would strongly advise—

**Mr Levac:** On a point of order, Madam Speaker: It seems the member continues to break the rules and I'd like him to be reminded not to do so.

**The Acting Speaker:** I believe it's practice in this House, because we don't know what personal circumstances individuals are in, to refrain from mentioning individuals being in the House. Thank you.

**Mr Klees:** By way of advice to the government of the day, I do think in future it would be appropriate, if at all possible, for the minister or the parliamentary assistant to be present.

**The Acting Speaker:** I'll ask the member to refrain from mentioning that again.

**Mr Klees:** I will never say it again because I'm sure that the members have taken note that it would be most appropriate to do that.

I would like to say that what has been missing in this debate is the context within which this rate cap, which is now being lifted by this new government, was put in place. We had, as a government, made a decision to do hydro differently in this province, and the reason for that was that the status quo could in fact not be maintained.

We know—the record is clear—that the way that industry was being handled, was being managed in this province, it had accumulated a \$38-billion debt. This is in addition to the provincial debt. This was separate and apart and in addition to; \$38 billion of debt that in fact could not be sustained. Why? Well, there's one reason that we accumulated that debt in this province under the hydro ledger, and that is that people in this province for years have not been paying the true cost of hydro. It was in fact being subsidized, and a pox on all of the previous governments that had allowed that to happen.

It is a fact that originally our system of electricity generation and distribution in this province was intended to be at cost, and it was a Conservative government that introduced that, and it should be applauded for it. Since then, governments of all political stripes had abandoned that and began to subsidize the true cost of electricity.

Our government, although it had been debated by many other governments, took the issue on, had the courage to actually make the decision to do this differently, to do what had to be done, to get our system of electricity generation and distribution back into the realm of reality so that there would be a fair price and a stable supply. We took that initiative.

What happened was that there were in fact extraordinary circumstances that took place in this province, not the least of which was historically low temperatures and historically high temperatures, and we had outages of generation capacity in this province, which created a supply shortage. Economics 101 will tell us all that when you have a shortage of supply, the price skyrockets. That's what took place.

So although it was contrary to our policy that we should introduce an artificial rate cap in this province, we did so out of a response for consumer protection. There were people in this province who were on a fixed income. There were businesses which simply couldn't cope with the increases in cost of their electricity bills. We were called on to deal with that, and we did so through a rate cap.

That rate cap was intended to be revenue neutral and we, to this day, believe that in fact it would have been revenue neutral, not over one year, not over 18 months, but over the course from the time we implemented that rate cap until the projected date when it would be lifted, because we believed and had a strategy in place that would attract additional generation to the province, which would bring into balance that market strategy. There were a couple of months over the last six months, while the rate cap was in place, where the cost of generating, the cost of purchasing supply, was actually below that price cap. So we see that the marketplace, when it's allowed to work, does work.

Our concern now is that this new government has taken the step of lifting this cap without presenting a true strategy for protecting consumers. I have no concern about getting back to a market-based rate of electricity in this province—the sooner the better—on the assumption that we have the appropriate generating capacity in place, that we have the appropriate consumer protection measures in place to ensure that those people on fixed incomes and small and medium-sized businesses don't get crippled in the process of this tinkering with this electricity strategy that's being presented. I don't see it.

Our challenge to this government is to address that to ensure that we don't simply turn our backs on the very people for whom this cap was put in place in the first place.

This bill, we believe, is probably about three years too early, simply because what this government should be

focusing on now is to encourage industry to have confidence in the government of Ontario, to ensure investment in this province. I believe there are solutions, and they are market-based solutions. Whether that be with the retailers, whether that be with the distributors, whether that be with the generators of power, the way to get to the solution is not to try to drive people out of business; it's to ensure that while being in business they can exist, produce the product that is required, do so at a competitive rate, do so in a way that honours the public, and ensure that they will be long-term contributors to the economy in this province.

I would suggest that the new Minister of Energy has a responsibility to bring to the table all of the players in this industry and to ensure that he is very careful that every decision that is made as he goes forward enhances what the objective should be, and that is to ensure that Ontarians have stable supply at a fair and competitive rate to ensure that we can be competitive with our neighbouring jurisdictions on this issue of energy supply and that people who don't have the ability to deal with skyrocketing and spiking energy prices have options.

Again, this is where I differ with the remarks made by the leader of the non-existent third party, and that is the role of retailers, because I believe that retailers do have a role to play. They have the opportunity to give consumers choices of one-year, three-year, five-year guaranteed rates on their energy. That is very much, I believe, an important part of a functioning, effective and vibrant marketplace, whether it be in energy or other commodities. So we do have differences of approach to this industry.

I suggest to the new Minister of Energy that he's on the right track. I'm concerned that he's going about it in the wrong way. I believe that he should be looking at ensuring consumer protection while ensuring that there's an appropriate long-term strategy for stable and fair pricing for our energy in this province.

1720

**The Acting Speaker:** It is now time for questions and comments.

**Mr Hampton:** I want to congratulate the spokesperson for the Conservative Party, in that he does a very good job of pointing out that it was only two months ago that Liberals were saying, everywhere across the province, that the rate cap of 4.3 cents a kilowatt hour would be kept in place. It would be kept in place until 2006. That was a sure, a certain, a definite promise of the Liberal Party should it become the Liberal government.

Now, not two months later, this promise, this commitment, this written-in-stone promise of Mr McGuinty and the Liberal Party is suddenly going to be completely broken. The excuse that's offered up is that that rate cap, that 4.3 cents a kilowatt hour, has cost \$800 million that is off-book.

We knew that last May; we knew it in June; we knew it in July; we knew it in August and in September. That knowledge, that it was costing \$800 million a year essentially to sustain the rate cap was known by all



Liberals, was known by everybody in this Legislature. So what's changed? If you knew that it was costing \$800 million a year when you made that promise, and it's still costing \$800 million a year, what changed? Now is after the election. Now what was a certain promise, this government believes they can simply disregard. I think Ontarians believe otherwise.

**Mrs Liz Sandals (Guelph-Wellington):** I find it very interesting that the member from Oak Ridges, in his remarks, has admitted to a number of the problems that we have with the electricity sector in Ontario. The Tories in fact knew from their advisers that the generating capacity in Ontario was dramatically reduced. They knew that we have problems with nuclear generators being out. They knew that the price of hydro fluctuates madly in the winter and in the summer. They knew that when we went into a period of a hot summer or a cold winter the price would fluctuate wildly.

Despite that, they went ahead and they turned the market open to market value prices. Guess what happened? The price fluctuated wildly; what else could it have done? Then they panicked and they brought in a price cap which, at 4.3 cents, was below the market value of electricity, and they thought they'd solved the problem.

We have come in and we have looked at the financial situation of this province, we have looked at the deficit, and the Liberal government has behaved responsibly. We will continue to cap prices, but at a rate which the auditor told us will be more sustainable. We will introduce the higher-level cap in May, which will give the consumers of the province of Ontario an opportunity to implement conservation. It will give them a chance to get through the winter while they think about how they can conserve. In fact, the Liberal government is the government with a responsible plan and which will be bringing in a long-term plan when the cap ends.

**Mr Dunlop:** It's interesting to hear the comments go around the room here. It's easy to point the finger at anybody in the world of hydro business, and more recently the member for Guelph-Wellington pointing her finger at our government. I think we've got to go back in time, and there's not a lot of time to actually do that in a two-minute hit. I think when we look at the Energy Competition Act and what led up to the passing of that bill in 1998—you and I, Speaker, were elected in 1999—we forget that hydro wasn't an issue. The bill had just been passed. That bill specifically was a result of the Macdonald commission, the white paper report, and it was to eventually open the market by sometime in May 2000 or 2001. That's what we were looking at doing under the Energy Competition Act. I think people forget how much work was put into the background of this. That was a result of some of the recommendations that came right from Maurice Strong and the New Democratic Party government when they were in power. They knew that we couldn't sustain the system the way we were going.

**Mr Hampton:** Maurice Strong was a Liberal; he was not a New Democrat.

**Mr Dunlop:** Maurice Strong was the chair of Ontario Hydro and had a lot of recommendations. The fact of the matter is, we can't simply point the finger at any one particular government and say who did everything perfect and who didn't, because everyone has a responsibility here. When we brought in the cap in 2002—and you Liberals agreed with it—we felt it would be revenue-neutral over the three- or four-year period in order to sustain hydro rates at a lower price.

I thank you for this opportunity.

**Mr Michael Prue (Beaches-East York):** I've only been here a couple of years. I came in in a by-election. When I first arrived here, electricity seemed to be the number one issue and it continued throughout the whole second half of the last government. When I came here, electricity was around 3.8 cents a kilowatt hour to produce. Then we had all the mess of privatization. We had all the mess of a government that was in chaos, trying to figure out what to do with an electricity system that had never once failed the people of Ontario. Then, in a panic, they went in for 4.3 cents a kilowatt hour and capped it, and, in a panic, the Liberals joined them. One after one, I saw them stand up and say 4.3 cents was the answer, not to be outdone with that. All of us had to go on TV and radio talk shows, and on every one of those there was a Liberal and a Conservative, and sometimes me, sometimes Howard, sometimes someone else from the NDP, talking about how the price cap was artificial and would not work. It was only going to further drive up the price of electricity. The privatization would not work.

Here we are today and we're debating the same thing, but no longer do we have the 4.3 cents; now we're talking about 5.6 cents, and I'm sure next year about six or seven cents, because the problem is not the cap. The problem is the privatization. The problem is that the profit motive is now infused into what was a public corporation that worked very well for the people of this province, going all the way back to Sir Adam Beck. I will tell you, that's the real debate: not the cap, but what you're going to do to end privatization.

**The Acting Speaker:** Finally, in response, the member for Oak Ridges.

**Mr Klees:** I want to thank my colleagues for their comments. I want, however, to go back to what I believe is at the heart of this bill, and that is a desire on the part of this new government to get us back to a market-based price for energy. I have no problem, and I don't believe anyone in our party has a problem, with getting us there. We truly need to have—

*Interjections.*

**The Acting Speaker:** At this point, I'm just going to ask the member for Kenora-Rainy River—I know this debate is very intense—to refrain from further discussion.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Madam Speaker: The member for Kenora-Rainy River is an authority. He's the provincial authority on the issue of Ontario Hydro.

1730

**The Acting Speaker:** That is not a point of order. Would the member please be seated. It is not a point of order. The Chair recognizes the member from Oak Ridges.

**Mr Klees:** I would request that I could have my time back for my two-minute response.

*Interjection.*

**Mr Klees:** I thank you for that.

As I was saying, the issue here is not that we take exception with the ultimate objective of getting the price of electricity back to a market-based mechanism. We believe in that. That's why we introduced competition in the electricity market to begin with. It is about an exit strategy that I believe is most appropriate in the longer term and an exit strategy that takes into consideration the fact that we have many vulnerable people in this province who simply will not be able to deal with the simplistic approach that this minister is proposing to get where we need to be. I wish him well. I will challenge him again to ensure that he engages the advice of all the stakeholders in this industry who I believe can give him some very good advice.

At the end of the day, there is a crisis in this province. There is a blackout. It is a credibility blackout that is happening with the government of the day in very short order. We have honourable members opposite, and I know that many of them are embarrassed to be looking at their constituents today knowing that they ran on a platform of promises and knowing that in a very short period of time they have to go back and equivocate and somehow try to justify that their leader is backing down, is flipping on promises made that he refuses now, for very shallow excuses, to honour.

The people of this province deserve better. They are taking note. They will remember. I believe that they, in the end, will have the final say on the credibility issue of this government.

**The Acting Speaker:** We now go into further debate, and these will be 10-minute segments. I now recognize the member from Ancaster-Dundas-Flamborough-Aldershot.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I always enjoy the member from Oak Ridges. On a good day, he's a pretty straight shooter. He says that the people of Ontario deserve better, and he's right, they do deserve better. And you know what? In the next four years, they're going to get a lot better than what they had in the last eight years.

I want to begin by suggesting that sometimes we sound a little bit like school kids here, as if things never change. This isn't the end of energy policy. Every journey of 100,000 miles—or whatever that proverb is—begins with the first step. This isn't the end; this is the start. This is the first phase of what surely will be a multi-phased policy, given the complexity of our energy situation here.

I've spent a lot of time in my constituency over the last couple of weeks talking about this and other issues.

It's helpful perhaps to remind the viewers that this government has only been in power for about a month. It would be interesting to look at all of the commitments we've kept. We've been a very activist government on that front. But I'm not up on my feet to speak about all of the other good things; I'm here specifically to speak about this issue.

It occurs to me—and it's almost an unarguable point, I suspect—that if you have really good, solid information, there is a much better chance that you're going to make really good, solid decisions. Conversely—and I think the member from Oak Ridges really highlighted this—if you don't have good information, if you have bad information, your opportunity to make poor decisions is dramatically enhanced.

The member opposite talked about his anticipating that this would be revenue-neutral. There was a point not that many months back, when we were then on the other side of the House, that we actually believed it when they told us that. We thought that made some sense. But as time would have it, that clearly was shown to be a distortion.

It's said that good judgment is based on experience, and experience invariably on bad judgment. If you want to do politics differently, it implies that you're prepared to offer up the straight goods, that when you mess up, when any government messes up and a subsequent government comes in, it's obligatory that you fess up, that you make the changes. Things don't stand still. You've got to move forward.

I could speak from the historical perspective about flip-flops on the part of many in this House. When I look at the previous government and some of its returnees talking about our government moderating its position, flip-flopping, whatever, it occurs to me that they make Flipper look like a goldfish—the simple reality given their experience.

The previous government's electricity price freeze, which they thought would be revenue-neutral—and some of us in this House initially thought that might be the case—not only did nothing at all to promote conservation but did absolutely nothing to enhance supply. It didn't go back to even looking at purchasing power from Manitoba and Quebec, which by the way are two jurisdictions with very good hydro rates at the moment. That was something the third party, when they were in power, were very quick to cancel. I think their position today is that they'd quite favour a diversification of our supply base by looking at Quebec and Manitoba. But again, I don't know that for sure. I try to listen intently to what they do have to say, and it's difficult. I won't go into all the quotes about, "He said," one day and, "He said," another day. That doesn't get us anywhere.

**Mr Hampton:** You don't want to hear Dalton's quote?

**Mr McMeekin:** I think the self-righteousness of many in this House, and particularly those from the third party, is pretty self-evident. You could look at public auto insurance as one, and the promise when they ran to freeze



tuition fees, which skyrocketed under their tenure. The minimum wage was going to go to 60% of the industrial average, I think. That didn't happen. The first thing you did was cancel the Quebec-Manitoba supply contracts. If we hadn't done that at the time, we would be in much better shape than we are now.

In addition to not doing anything—

**Ms Churley:** Poor baby; it's always somebody else's fault.

**Mr McMeekin:** I obviously touched a sensitive nerve, but that's what happens when you're on the side of the angels and you're trying to make things right. It's difficult for those who have been so self-righteous to stop and reflect for a moment, even on their own past. It's easy to be critical of everybody else.

In addition to not promoting supply or enhancing conservation, the price freeze did something really quite terrible: it added \$800 million, according to the retired provincial auditor, to our burgeoning debt. I suspect that had the voters in the most recent provincial election actually known the projected deficit was in the neighbourhood of \$5.6 billion instead of the \$2.2 billion that was being put out but even then denied by the party in power, we wouldn't be worried about a split rump today; it would be more like the New Brunswick situation in terms of where we would be.

If you look at it historically, this lack of prudence is all around us. Borrowing \$10 billion in their first year or so in office to finance tax cuts was certainly not the brightest thing to do. At least the feds had enough sense to get their house in order before they started making tax cuts.

You look at the move from \$87 billion to \$114 billion in provincial debt too. Trickle-down didn't work very well, but we sure saw skyrocketing debt.

1740

If we're honest about it, looking back and reflecting on it, the price freeze, as it turns out, was a bad signal from the get-go. It was simply unrealistic. The member from Oak Ridges—they say confession is good for the soul; not always good for the reputation, but good for the soul—confessed that the 4.3 was going to be revenue-neutral and it wasn't. So let's just own up to that and let's get on with what we have to do. What we have to do is to make sure that Ontario taxpayers don't end up being left holding the bag.

We believe it's wrong for taxpayers to continue to subsidize electricity consumption, especially in light of the almost \$40-billion stranded debt, because that subsidization puts other significant social programs like health care, education and real environmental protection at risk. If that's a flip-flop, so be it.

I recall a number of years ago when my middle girl was nine, she wanted a roller coaster ride at Crystal Beach. We stood in line for a long time and we waited, and when we got near, I think we were up next to go on the roller coaster, somebody came and said, "Sorry, you can't go on the roller coaster because it's broken and it's dangerous. We're afraid it's going to come off the

tracks." I had to say to my daughter, "Sorry, honey. I know I promised you I would take you on the roller coaster ride, but it's dangerous." She was tearful and not particularly understanding, but in the long run I did what I had to do as a responsible parent, and that was to protect my child.

I stand in this place today to do what I have to do and what we on this side have to do as responsible legislators, and that is to protect the people we are here to serve, the people of Ontario, who have trusted us. A bended promise versus a broken trust: I know where I come down on that scale every time.

**The Acting Speaker:** We now have questions and comments, and they are 10 minutes.

**Mr John Yakubuski (Renfrew-Nipissing-Pembroke):** I'm hearing this debate about this price cap, and I recall a little more than a year ago my predecessor standing up in this House—I could never do it with quite the theatrics that he could—screaming across the floor, shouting, "What is the Premier going to do about hydro prices in this province?" Our government—the previous government, of which I was not a member—brought in the price cap. The party that is now the government supported that, and now they want to get rid of this price cap.

What really concerns me is the chicanery and sleight of hand that is going on here. They're going to get rid of this price cap, but it's not going to be enacted until April 1, 2004, after the heating season is pretty much over. They're going to get this debate done with before Christmas, and then when the heating season is over, by April basically, the price cap is going to be removed. Your bills are going to reflect it, but even if your price goes up, the usage goes down because we're into the spring season. People won't notice it until the summer rolls around and we're into the air conditioning season. They're going to see what is happening to their bills. But where is the government going to be? They're going to be on summer recess and hiding from the issue. That's one of the parts that really concerns me.

Of course, the biggest thing is: "We will not remove the price cap on hydro until 2006." And here we are, December 2003—gone. April 1 next year—gone. The price cap is gone. A fundamental promise of the campaign didn't mean a thing.

We can't accept that in Ontario. What about the farmers and the small businesses that are going to be affected so badly by the removal of this price cap at this time?

**Mr Hampton:** I listened intently to this spokesperson on behalf of the government's legislation, again looking for energy policy, again looking for conservation policy, again looking for an energy efficiency policy. I regret to say that once again I didn't hear anything. What I heard was a government trying to find some way to justify breaking another promise—a promise that they probably now admit they should never have made in the first place, that they never intended to keep, that they didn't have any intention whatsoever of even thinking about keeping. What I'm hearing is lame attempts at justification for a

promise they probably shouldn't have made, one they never had any intention of keeping and now have a hard time justifying taking the position in the first place.

They can continue to think up these lame excuses. I don't think the public will be satisfied with that. What the public wants to know—the public knows that their leader, Mr McGuinty, after touring the Bruce nuclear station, endorsed nuclear power. Is their solution going to be more nuclear power plants? We know they were advocating a lot of natural gas plants for a while. Is their solution going to be to build a number of natural gas plants; in which case, what happens to the price? We still haven't seen the energy-efficiency strategy. When are we going to see that, if ever?

**Mr John Wilkinson (Perth-Middlesex):** I'm glad to add to the debate this afternoon and to the comments made by the member for Ancaster-Dundas-Flamborough-Aldershot—by far the longest name in this Legislature—followed closely by the member for Renfrew-Nipissing-Pembroke and of course the member for Kenora-Rainy River.

I'm a business person. You deal with reality. You deal with the cards that you're dealt. We have to deal with the problem that is before us. We can spend all our time talking about what was going to happen, what should have happened, what the other party was going to do, is there really going to be a deficit? All I know is that we have run up in the last year, based on the policy of the previous government, something like \$700 million on the provincial credit card. What are we doing running up a deficit? I've been told that in future years we'll be making a surplus and it'll all go away. If I tried to pull that in my business, I'd be out of business pretty quick. I suppose that happens in politics too, because if you try to pull that stuff, you're out of government pretty quick.

Our job here is to deal with the reality we have been faced with. You have to deal with the cards you're dealt. What we have to do right now is take a very poor situation and make it much better. How are we going to do that? Simply by being honest with the people of Ontario and saying we're not going to put the price of electricity on the provincial credit card while at the same time we had a government that was running as \$5.6 billion deficit, which we inherited. Do you know how many hospitals, nurses, schools—how many programs will be cancelled in this province if we don't get a handle on this situation? That's why we're dealing with it.

**Mr Klees:** I'm pleased to offer my comments to those of the member for Ancaster-Dundas-Flamborough-Aldershot. First of all, with regard to his comments relating to the revenue-neutral issue, once again for the record, and for people observing this debate, I want to make very clear, as I said in my speech, that it was never intended that this be revenue-neutral in the first year or in 18 months. There was a strategy that was put in place that over the four-year period of time, this would be revenue-neutral.

1750

That is for the record. That is what we said. So for this government to say, "Oh, we came along and we saw that

this was not revenue-neutral," is simply not giving the people of this province the straight goods. There was never a hidden agenda here about the fact that there would be initial costs.

To the member from Perth-Middlesex, I'm glad to hear of his business experience. What he would know, and surely anyone who is in business in this province, is that there is such a thing as making provision for spikes in prices. There are strategies that businesses that deal with commodities take. He may never have been in the commodities business and so wouldn't know about it, but these are issues that are dealt with on a daily basis by businesses across this province. You look into the future, you take strategies that will allow you to deal with the immediate challenges and you work toward a resolution in the longer term. That's what this was about. So I just ask you to keep that record straight. Once again, the fact is a promise has been broken. This government know what the challenges were. They refused to take that into consideration when they made those commitments to the people of this province.

**The Acting Speaker:** For a response, the Chair recognizes the member from Ancaster-Dundas-Flamborough-Aldershot.

**Mr McMeekin:** I want to thank all of the honourable members who took the time to offer their thoughtful comments and critiques on the brief remarks that I was privileged to make in this legislative chamber. I want to say, in closing, that I will be prepared for the member for Oak Ridges—he can write this down somewhere—to compare his projected four-year plan with what will happen in the four years that we anticipate being in power here. I say that prayerfully and carefully. I used to be an incurable optimist, but this place has cured me, I've got to tell you. I'm really hopeful that we can fulfill the kind of vision that the member from Oak Ridges articulated. On that front, he and I share much in common.

With the proposed legislation that finds expression in Bill 4, our government is finally taking a responsible approach to electricity pricing that will better reflect the true cost of electricity. The days of energy policy as a political football are gone. We as a government promise to improve health care, fix education and live within our means. This is a prudent and very responsible first step—well, second or third step. Other legislation was first and second steps in that regard. Our plan would take the politics and politicians out of energy pricing and give that responsibility to a truly independent regulator, which is where it belongs. Through our plan, we're delivering on the fiscal responsibility and the fair and responsible government that we promised during that 28 days of the election campaign that we would deliver. We intend to deliver on those promises.

**The Acting Speaker:** Further debate?

**Mr Dunlop:** Could I have unanimous consent to finish the last six minutes here?

**The Acting Speaker:** Are you asking for unanimous consent?



**Mr Dunlop:** Yes, for me finish the last six minutes here.

**The Acting Speaker:** The member from Simcoe North is asking for unanimous consent to speak a second time on the bill. Do I have unanimous consent? I'm afraid I've heard some noes.

Further debate?

**Mr Yakabuski:** Again, we're on Bill 4 here, and I thank the House for giving me the opportunity to address this. We're back to the promises of this government that they would not remove the rate cap until 2006. Throughout the campaign in my riding, that was an important election issue, as I'm sure it was in every riding in this province.

**Mr Kormos:** And what was the Liberal promise?

**Mr Yakabuski:** The Liberals were promising exactly what we heard time and time again throughout the campaign: the rate cap stays till 2006. "Our position," they said, "was exactly the same as the Tories." We looked at that energy policy, because it seemed that we were writing their energy policy for them. Every time we would have an energy policy in the previous Parliament, the next day, the then-Leader of the Opposition would get up and say, "I actually support that," because when you are lacking any ideas of your own on the energy file, you'll just go with what you figure is the best position out there.

So when we were talking about privatizing the energy system and selling off Hydro One or OPG, the Liberals supported that. When it became apparent that the mood of the electorate was simply in strong opposition to that and that the timing wasn't right, they again supported us. Then in November, when the Premier, under intense pressure from small businesses, seniors, low-income people—because of an energy situation that had been exacerbated by skyrocketing prices throughout the summer because of unforeseen circumstances with regard to plants that had been down for maintenance and not brought back up to full operation—the spiking in the cost of hydro was so significant that something had to be done. Again I recall the previous member from my

riding—I'm not sure if he was the energy critic at the time or not, but he was certainly one of their most articulate spokespeople. He went on and on about how something had to be done.

So of course the government brought in the 4.3-cent-a-kilowatt hour cap on energy until 2006. Immediately, they supported that, made it part of their election platform. You know that fully-costed, independently verified fiscal plan for the next four years? It was part of it. So they were prepared to operate the energy system in this province for the next three years at that rate.

All of a sudden, they've done as the NDP have articulated so well and so often in this House on this debate. They took a different position after they were elected than the position that they had going in. That is simply unacceptable to the people of Ontario. I'm certainly confident that they'll not be forgetting that flip-flop.

Over the life of this price plan, they're talking about, "If you use under 750 kilowatt hours, the price will be 4.7 cents and will escalate if your usage goes beyond that." I don't think you're going to find too many small businesses and too many farmers who are, if they're active at all, not going well beyond that level of usage. These are some of the people in my riding whom I'm most concerned about, in a year when they've been hit with losses of revenue due to the SARS crisis that has certainly affected Toronto more than anywhere else, but has affected the whole province. So in the years when the tourism industry was badly affected, they're now going to be hit with a further tax—I know this government really likes the word "tax"—a further price increase on an essential need, electricity, in this province. The farmers, with mad cow having hit them this year, costing them millions and millions of dollars—

**The Acting Speaker:** May I ask the member to sit, please.

It being 6 of the clock, this House stands adjourned until 6:45.

*The House adjourned at 1800.*

*Evening meeting reported in volume B.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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of Ontario  
First Session, 38<sup>th</sup> Parliament

Assemblée législative  
de l'Ontario  
Première session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 1 December 2003

Lundi 1<sup>er</sup> décembre 2003

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 1 December 2003

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 1<sup>er</sup> décembre 2003

*The House met at 1845.*

## ORDERS OF THE DAY

### AUTOMOBILE INSURANCE RATE STABILIZATION ACT, 2003

### LOI DE 2003 SUR LA STABILISATION DES TAUX D'ASSURANCE-AUTOMOBILE

Mr Colle, on behalf of Mr Sorbara, moved second reading of the following bill:

Bill 5, An Act to temporarily freeze automobile insurance rates for private passenger vehicles and to provide for the review and regulation of risk classification systems and automobile insurance rates for private passenger vehicles / Projet de loi 5, Loi visant à geler temporairement les taux d'assurance-automobile dans les cas des voitures de tourisme et à prévoir l'examen et la réglementation des systèmes de classement des risques et les taux d'assurance-automobile les concernant.

**Mr Mike Colle (Eglinton-Lawrence):** I'm going to be splitting my time with the member from Mississauga West and also the member from Prince Edward-Hastings.

We're here tonight to begin second reading of a very important bill to the over eight million people in Ontario who are motorists who require auto insurance to drive their automobiles. We're talking about their welfare, their investment, their ability to get to work, their ability to take their children to hockey, their daughters to ballet, their sons to drama, whatever it may be. So this is not just about one group of people; it's not about one industry, the insurance companies; it's not about the health care providers. It's about the 8.3 million Ontarians who have to buy auto insurance to drive an automobile in this province.

This whole, challenging topic of auto insurance is not one that faces only Ontario. It faces all of Canada. Even in the United States of America there are many pressures in the field of auto insurance. As we speak, I know the Alberta Legislature is grappling with the same challenge, as are New Brunswick and Nova Scotia. Here in Ontario we are revisiting auto insurance. As many of the members know who were here before, we've had a number of go-rounds with the OMPP, as it's called. Under the Peterson government we had Bill 164, with the NDP government I think we had Bill 59, and then recently we've had Bill 198 with the past Conservative

government. Different governments have tried, I think in good faith, to fix some of the problems that seem to crop up in cycles in auto insurance. They tried their best, and in some cases they succeeded and in some cases they didn't.

As you know, at this time we're faced with skyrocketing rates on premiums that over the last year or so have ranged up in the vicinity of 20%. Many Ontarians are wondering why this happened, and this is why our government is committed to responding to Ontarians. In our white paper we had in our pre-election period—Lower Rates, for a Change—we stated our commitment to do some very basic things. The first thing Premier McGuinty committed to was imposing a freeze on rate approvals, and within an hour of taking office we carried out that commitment. We put a freeze on any new rate approvals.

### 1850

As you know, Speaker, the rates of insurance companies eventually get filtered down and end up being your premium costs, and those rates are approved by the Financial Services Commission of Ontario, which is an arm's-length body of the provincial government. As of the Premier's statement of October 23, they have been frozen. Bill 5 formalizes the rate freeze. In other words, no more new rate filings with an increase can be brought forward, so they're at containment right now.

This bill also does something very important. It gives the superintendent of financial services, who is like the government's watchdog for financial services, the power to refuse any rates that have to be submitted by January 23, at the end of freeze. He will have powers to use at his discretion. And as you know, we've made a commitment, and the Premier has made a commitment, that we will reduce auto insurance rates by 10% by the end of the 90 days.

Over the last month, through the Minister of Finance, I have met, along with ministry staff, with dozens of individuals and groups that represent the various participants in auto insurance. About a half hour ago I met with the Consumers' Association of Canada (Ontario). They are very emphatic in saying they want to protect the rights of motorists and gave us some very good advice in terms of how we can best do that.

I also met with the Canadian Automobile Association, which by the way wears two hats. The Canadian Automobile Association not only has an automobile club where they provide services to their members, but they also offer insurance to their members. A lot of people



don't know that, but they offer both. They were very helpful in giving a double perspective on this very complex and challenging file, an insurer's perspective and also a perspective as representatives of, I think, over 1.8 million Ontario motorists.

We met with different individuals, from insurance brokers to insurance company representatives to the Insurance Bureau of Canada to health care providers. Health care providers, along with health care professionals, are very involved in auto insurance, because they provide the needed medical support for people who are, unfortunately, victims of automobile accidents. We talked with everyone from psychologists to occupational therapists to speech therapists. We've been talking with medical doctors, the Ontario Medical Association, the Ontario Chiropractic Association. They are all participants in delivering auto insurance in Ontario.

We gave them the opportunity to give their ideas on how we could provide effective auto insurance protection and services for people in Ontario, and also how we can achieve savings to a system that basically has become dysfunctional. It is dysfunctional because, the fact is, costs are essentially getting out of control and premiums are obviously much out of the affordability of many Ontarians. So we asked them all to give us their ideas on how we could bring down these rates and improve the system.

As I said, we are committed to doing that. We've frozen rates, we're going to proceed with the 10% cut and then we're going to continue to adjust and change the auto insurance model in Ontario, because we feel that more changes are required. Bill 5 is really the first step in improving and stabilizing auto insurance in this province.

We will continue to look at different ways of improving auto insurance. We've stated that we would look at such things as removing the very cumbersome assessment system in Ontario. In other words, if you get hurt in an automobile accident and there's a bodily injury, you get assessed by medical experts. Well, it seems that in Ontario, in many cases there's more money being spent on assessments than there is on medical care or other services.

We're trying to telescope the number of assessments; we're trying to make it more transparent; we're trying to make more of a quick turnaround because people cannot sit around for six to eight months waiting for assessments while they're waiting for medical treatments. So we're going to be looking at the assessment system after the 90 days.

We're also going to be looking at the whole system of policies. I think that if I asked anybody in this room who their insurance provider is, or if we asked the people in Ontario if they know the name of their insurance company—I know that over the last month, almost 90% of the people I asked did not know the name of their insurance company.

This is why one of the things we're going to do as a government is we're going to engage in a public education information campaign where we're going to try to

explain what you get when you buy an insurance policy, what your benefits and rights are, what you're entitled to and what your privileges are under this policy. I think there is a dearth of communication between the insurance providers and the insured. We hope to have more education and communication, because right now in Ontario most people just think of insurance when they get their premium and it's too high, and secondly when they get their pink slip in the mail. But there's more to insurance in Ontario than just getting that pink card that you have in your wallet, because Ontarians are now faced with a dilemma in terms of how to collaboratively, together, fix a system that is totally out of whack. One way of fixing it is getting a better-informed consumer more information about what that means.

It also means changing some of the culture that exists in insurance. There seems to be an attitude out there that if someone "rips off" the insurance company, it's quite all right: "The insurance company is paying for it." Well, folks, we're all in the same insurance pool. If a person defrauds the insurance company—this is a small minority of people—or if they take advantage of insurance, we all end up paying for it in higher premiums. It's not all right to take advantage of the insurance company, because it means you're taking advantage of your constituents, your brother or your sister who has to pay insurance. We have to try to change the culture of, "It's all right; it's the insurance company."

We've all heard the stories that if you go into an auto body shop and you want to get your windshield repaired, and they say, "Who's covering you?" and you say, "No, it's my own car. Just fix the windshield," they'll charge you \$300 or \$400. We've had cases given to us where you walk into a body shop or whatever it is, and you say that it's the insurance company that's paying for it. That \$300 replacement windshield is all of a sudden \$1,000.

That two-tier payment system has got to stop because we all pay for it. All Ontarians pay for two-tier payment of insurance. It's something that makes insurance policy premiums go up.

We have cases of tow truck drivers charging \$1,000 to take a vehicle that's been in an accident to their compound—\$1,000. Sure, maybe \$200, but \$1,000? We have to do something about people who use insurance as an economic opportunity entitlement. In other words, they're trying to get a piece of the pie that's only so small. The tow truck driver or everyone else has the right to make a living but not the right to charge exorbitant fees for a service. I think it's government's role to try and put some checks in there so the system gets back into some semblance of normalcy, because it's not sustainable to where it's going today. It's not sustainable for the people who need that car to get to work, to take their grandmother to a hospital. We need to have an affordable, transparent system, and competition.

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One of the things that we've all learned too, and I certainly have, is that when we talk about insurance, we also always think about the big insurance companies. I

know my friend from Niagara Centre mentioned some perceived loophole in this legislation. The fact is, the Financial Services Commissioner has the right to look at companies that may be in serious financial difficulties and ensure that that company isn't put out of business or becomes insolvent.

Many of us don't realize, but I guess some of us from rural communities—my friend from Glengarry-Prescott-Russell knows that some of the insurance companies in this province are what we call mutual insurance companies. They're your small insurance companies that date back to 1850 in the province of Ontario. They're basically a not-for-profit, small insurance company that provides a basic service to people in agricultural, rural areas and small-town Ontario. These companies—and I spoke to them again, just recently too—they said, "I'm glad you've put that protection whereby if some order of the Financial Service Commission were to be unfair to us, it could put us in jeopardy."

These are small companies like the Algoma Mutual Insurance Co in Thessalon—member Mike Brown; the Amherst Island Mutual Fire Insurance—I don't know if that's near you, Mr Speaker, or not—Ayr Farmers' Mutual Insurance; Bay of Quinte Mutual Insurance; Bertie and Clinton. These are mom-and-pop insurance companies, basically. I know they don't fit the image of the big Bay Street insurance companies, but they're out here in Ontario too.

One of the goals of our party is to keep the small players in the market, because competition means that you, in the long run, will get lower premiums. Competition means you'll get a better type of service from different people. They're essentially to the benefit of the consumer. One of the intentions of this legislation is to ensure that small companies like Glengarry Farmers' Mutual Insurance—I don't know if that's near up where you are. We have a lot of work to do. We're in no way underestimating the challenge and in no way underestimating the work done before.

I know the member from Rosedale did amazing work trying to patch together a very complex system, and he's come up with some excellent recommendations. I've conferred with Mr Smitherman. I would welcome the input from any member of the House in how to make this system right again. The system needs a lot of co-operative help that we can all pitch in to do.

We are committed to doing it, but it can't be done in just this one piece of legislation. Bill 5 is the first small step towards a long road ahead. The road ahead will be a difficult one, but it's one that has to be taken because there are over eight million Ontarians who are worried sick about the cost of auto insurance, and rightfully so.

We are committed to get this very important service rectified in the province of Ontario. We are going to do it with the help of all the stakeholders and with the people of Ontario, who deserve an affordable system that is transparent, competitive and also to their interest.

We all know that there are all kinds of concerns about, "When will I see my insurance premium reduced?" As I

think the Minister of Finance mentioned today, there already are increases in the pipe that were basically the result of the last government, who approved rate increases. Insurance premiums come due at different times, so there are still people who are getting increases. That is a result of previous increases approved by the previous government.

As I said, as of October 23 we've stopped all increases from being approved. In fact, we're quite clear in this legislation that we're going to require the insurance companies to file their rates, which eventually result in premium pricing, by January 23. We've essentially said that we expect those filings to show a 10% reduction. That is our goal, and we are doing it because the people of Ontario have demanded that we do it. This bill is a response to the people of Ontario, who have said to our government in the last election—in fact, they said it to us when we were in opposition; we had numerous calls from people over the last two or three years who said, "Why isn't the government doing anything about auto insurance?"

If I can criticize the last government for anything, I think it is the fact that they sat on the insurance file too long. We know that the Bill 198 regulations were not acted upon for over a year. The bill was passed but the regulations weren't. So we as opposition at that time said, "You've got to get on with fixing insurance." They didn't really take the steps that were necessary. It was evident that there was something very wrong with auto insurance premium costs and the people of Ontario were crying for help, but nothing was really done to alleviate that.

We now feel that the only way we can rectify things is by bringing about a pause—Bill 5 is about a pause—in the insurance rate roulette. It's a freeze until we get some reductions in place. Then we are committed to introducing some further adjustment reforms because the system is not just about one quick fix or a magic solution. This is the bill that then enables us to move in an orderly fashion toward more savings, more adjustments, more fairness, more transparency and more understanding in auto insurance.

I would just say that one of the interesting cost drivers in insurance, still to this very day, is what they call soft-tissue injuries. Remember the old stories about people walking into courtrooms with their neck braces? Those are still very problematic. A lot of the cost drivers in insurance seem to be from minor automobile injuries. That's why the Insurance Bureau of Canada and others are saying, "Please, drive carefully. Please make sure your headrest is adjusted properly." Frankly, some automobiles have very poor designs in their headrests; some are better than others. "Please obey the rules of the road: Speed limits have got to be obeyed, aggressive driving"—all these are part of the cost drivers in auto insurance. It's not as if we're blaming anyone or any group; it's really a co-operative effort where all the stakeholders, all Ontarians, have to start to really examine auto insurance and improve something that needs a lot of work to make it right. I hope we can make it right, and the sooner the better for everyone in Ontario.



**Mr Bob Delaney (Mississauga West):** I'm pleased to speak to the government's Automobile Insurance Rate Stabilization Act, Bill 5.

I represent the riding of Mississauga West. Ours is a prosperous community, a young and growing community, with young families building their careers, their families, and spending their hard-earned money on life's essentials. Despite its newness and its outward signs of prosperity, most of us in suburbia need to budget our incomes very carefully. We can budget to cope with breakdowns, appliance failures, the need for home repairs and renovations. Suburbanites can save for a rainy day. What suburbanites have not considered saving for has been the way that families find themselves drowning in uncontrollable insurance premium rate increases.

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Insurance is like water, gas or telephone service. Insurance is something we need to drive, work and play in suburbia. Without the density of housing we see in the city core that makes mass transit viable, you need a car to get around and to get to work. You need a car to get to church, to get to your community volunteer activity and to get your kids to their sports and cultural activities. You can try and get along without a car in Ontario's suburbs, but it won't be easy, it won't be productive, it won't be much fun and it will be lonely. Not for nothing has the standard in housing in the suburbs moved to two-car garages.

In the car-intensive suburbs, we also need affordable auto insurance. The capital cost to a family of its car or cars is only part of the investment. Over and above licensing, maintenance, fuel and repairs is the cost component of insurance. You have to have insurance; that's fine, that's fair. But it is only fine and fair if the marketplace is also fair and competitive. A product whose consumption is mandatory also needs to be available and affordable.

Why do we need action now? Ontarians can best say it in their own words, and I'd like to use the impassioned words of a number of motorists in Mississauga West. One young woman called us and said that her insurance rates have gone up so much she does not know if she can afford rent or food after paying her monthly car insurance premiums. She had a minor fender-bender, which, after all, is why one buys insurance in the first place. This young woman moved to Ontario from the province of Newfoundland in August 1997. She received her G licence in 2003. She had driven for four years with a clean record. At 19 years old, she paid a \$4,200 annual premium. At age 20, she paid a \$3,600 annual premium. By 22, her premium was down to a still-steep \$2,400, but it was a break so that she could save for her future.

In April 2003, she was in a minor accident due to weather conditions. It happens. She was uninjured. The insurance company told her that her premium would rise by \$4,800—not rise to, but rise by. This is triple what she was paying before her accident. The car itself cost only \$4,500 to fix—\$4,500 to fix, and a premium increase of \$4,800 in the very next year. She agreed to the conditions

of the new insurance plan because she needed to drive. On November 21, this same motorist received a call from her insurance company with a new quote for the next year. They quoted her a rate of \$9,084 for her premium for the next year.

Another young man from Mississauga West is just out of school, beginning his career. He can afford to buy himself a car, but has not bought one because the insurance on the car is higher than the finance charge. Men are already at higher insurance rates than women are. This young man can afford a vehicle, but not the insurance he needs to actually drive it.

Many senior citizens live on fixed incomes. In some cases, they find that they need to give up their freedom of mobility in their cars well before their driving ability diminishes. Our seniors are not giving up their privilege to drive by choice, but because they cannot afford their skyrocketing insurance policy premiums, despite their years or despite their decades of safe driving history.

Another Mississauga West motorist faces out-of-sight policy premiums, not because of any accident he and his mother, who lives with him, have had, but because his father has had two accidents in the past year, after the father and the man's mother had separated and divorced. This bad driver no longer lives with the family, and yet this young man and his mother pay premiums as if the father's bad driving record were theirs. The mother has had a perfect driving record for 10 years. The young man has had a perfect driving record for six years. He wrote to us, "We have been quoted for over \$7,000 in our premiums for the next year, not only by our existing carrier, but also by a number of other insurance companies."

Motorists are not the only group that knows first hand how much needs fixing in the auto insurance industry. Brokers who carry the insurance products of multiple carriers have reported to me that they were told to write business only for clients with many years of safe driving, and for no young drivers. The motorists of Ontario feel they are paying for the accidents and the compensation losses of other classes of clients in other jurisdictions. Some of the spiralling claims are driven by individuals who can push their high fees and rates on to insurance claims right up to the point where litigation costs against them become more viable than simply paying the fixed rates and fees that they have, fixed rates and fees that even the insurance carrier knows to be too high. One writer from Mississauga West reported that a body shop quoted him one rate if he paid for collision damage to his vehicle himself and a different rate, triple the amount, if the cost went to the constituent's insurance company for payment in the form of a claim.

The government of Ontario has heard the voices of Ontarians. It is delivering on another major commitment by taking steps to lower auto insurance rates and to protect Ontario consumers. We've rolled up our sleeves and are keeping our promise to Ontario's working families. We are determined to act responsibly to protect auto insurance consumers by reducing out-of-control costs and making sure these cost savings are passed on to

consumers as lower premiums. Bill 5, if passed, would freeze insurers' rates at levels approved on or before October 23, 2003. It will prevent further approvals from taking place for a period of 90 days.

This legislation is an important first step in our commitment to deliver what Ontario consumers want: lower auto insurance rates and the re-establishment of a viable and competitive auto insurance industry. These measures are a bold step toward maintaining availability and choice for consumers in obtaining auto insurance, which is a product that motorists must have and which had been spiralling out of reach for all but the very wealthy.

The new government of Ontario has acted quickly. On October 23, 2003, Premier McGuinty directed the Minister of Finance to freeze auto insurance rates immediately. On Wednesday, November 26, 2003, the finance minister introduced the Automobile Insurance Rate Stabilization Act, 2003, which freezes insurers' private passenger auto rates at levels approved on or before October 23, 2003. The bill also ensures that no further approvals can take place for at least 90 days.

Today's crisis in auto insurance might have been averted. As far back as 2001, the Insurance Bureau of Canada warned the former government of Ontario that costs in the system were rising in ways the insurance industry could not control. While two Ministers of Finance ignored the insurance industry's warning, auto insurance rates climbed 9.2% in the fourth quarter of 2002, just one year ago. Then in the first quarter of 2003, while the previous government did nothing, auto insurance rates jacked up another 7.3%. In the second quarter of 2003, while the previous government stared into the abyss of defeat at the polls and backed away from their day of reckoning with the people of Ontario, auto insurance rates leaped ahead another 8.5%. The former government had lost its spirit, its nerve and, ultimately, its legitimacy and its power during the third quarter of 2003. Without fanfare or much notice, auto insurance premiums shot up yet another 8.2% in that quarter.

It was time for that to stop, and stop it did. Within 15 minutes of being sworn in on October 23, this new government of Ontario showed Ontario's working families that we had started to work for Ontario's motorists. We ordered the superintendent of insurance to stop approving rate increases for a period of 90 days.

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I empathize with drivers whose rates have continued to climb into the stratosphere. My own policy, as an accident-free driver, came due on October 30. I too wallowed hard and called my broker. I said, "There's got to be some mistake. I've done business with them for years." We checked the rates. I know him and I trust him. He told me, "This is the best rate that I can give you," and mine went up 40% in the course of a year. I echo the commitment of the Minister of Finance that we keep our focus on this very serious issue and work toward a fair, affordable and equitable market for consumers and a competitive and viable market for insurance carriers.

There are some in Ontario who would advocate public auto insurance. Public auto insurance ultimately means forcing private sector firms out of business. One can wax eloquent about public auto firms in place in other parts of Canada. The staunch advocates of public auto insurance, which effectively means the nationalization of some parts of the insurance industry, would be well advised to talk with policyholders in one of the provinces now offering public auto insurance. The wry jokes often used to describe insensitive and monopolistic bureaucracies everywhere are top of mind when consumers relate their tales of dealing with their publicly owned auto insurance carrier.

More than a decade ago, the then government of Ontario talked about public auto insurance. That government looked at it. That government backed away from it. Let's go easy on the government of Ontario in that era of the early 1990s. It did have the wisdom to identify a bad idea and not do the wrong thing then.

That was before the signing of the NAFTA agreement. The compromises within NAFTA, whether one would assent to them today, now form part of our business fabric. The reality of living with NAFTA is that the conditions present at the time other provinces established public auto insurance do not exist now in Ontario. Violating NAFTA provisions that benefit so many Canadian companies, both those that manufacture physical goods and those that provide professional services, would hardly seem an option to Ontario businesses. Even in a hypothetical world without a NAFTA agreement, the creation of an entirely new Ontario government bureaucracy will not only cost more than a billion dollars—and that's before the first policy is underwritten, and I believe that is a low estimate—but it will also cost some 5,000 jobs. Those are private sector taxpaying jobs, jobs that are well paid, jobs that allow their holders to support their families.

Public auto insurance, even in a hypothetical world, would mean a brand new government-run insurance bureaucracy larger than the Ontario Ministry of Health. For comparison's sake, I asked the Minister of Health today just how big is the Ontario Ministry of Health. The Ontario Ministry of Health employs 7,000 people full-time and spends \$28 billion annually. Do we want such a bureaucracy? Do we want such a new bureaucracy? Do we want such a government-run bureaucracy?

Ontario is home to many leading companies in all industries, especially in the financial industry and especially in the insurance industry. Ontario's insurance industry is a source of good, high-paying jobs, especially for graduates of Ontario's universities. It would be a mistake if the government of Ontario acted in haste to nationalize auto insurance. The government of Ontario should balance the urgent needs of our millions of Ontario policyholders with its demonstrated commitment to be a fair and consultative partner with business and consumers alike.

To sum up on public auto insurance, the government of Ontario looked carefully at the issue more than a



decade ago. If it had been a good idea then, they would have done it. It was a bad idea then and it's a bad idea now.

As the member for Eglinton-Lawrence has said so eloquently, few aspects of everyday life are as complex, as technical or as difficult to unravel and understand as insurance. The 90-day hiatus on rate increases is a welcome chance for the government of Ontario and for the working families of this province to pause, collect their breath and assess not merely the painful symptom of soaring rates but the underlying causes of an industry whose costs must be brought under control. Unscrupulous operators to whom windfall revenues go at the expense of our working families need to know they cannot and will not be permitted to look on insurance companies as a bottomless piggy bank.

The first step is to stop the bleeding. The next steps are to heal the wound. To this end, the Minister of Finance will work with the insurance industry and with the families of Ontario to make the system work and to make it affordable, accessible, fair and sustainable.

Let us look at some of those measures. Auto insurance rates are frozen for private passenger vehicles at the rates approved on or before October 23, 2003. Approval of applications under the Insurance Act for private passenger vehicle rate changes is suspended while the bill is in force. Every insurer affected by the freeze must reapply to the superintendent of financial services by January 23, 2004, or a day specified by the superintendent not more than 30 days after January 23 for approval of its risk classification system and rates. The superintendent could require a premium to be reduced or otherwise varied. No rates or risk classification changes will be implemented without the superintendent's prior approval.

Our priority is consumer protection. With this bill, insurers failing to comply with the bill could be prosecuted, could have their licences suspended or cancelled under the Insurance Act and could be ordered to refund premiums charged in excess of authorized rates.

This legislation gives the government of Ontario the authority to move forward and act on our commitments to Ontario families to reduce auto insurance rates and to make sure those rates are passed on to consumers.

Here are the next short-term steps. The parliamentary assistant to the Minister of Finance has been meeting extensively with the key stakeholder groups during the past few weeks to find the best way to achieve savings that will bring auto insurance rates down by an average of 10%. These consultations will soon produce a number of key recommendations on how those savings will be achieved.

We are also looking at other ways to help reduce costs for motorists. For example, our longer-term cost saving reforms include the creation of customized insurance plans that will allow consumers to save more by allowing them to tailor their insurance coverage to best meet their individual needs. The flexibility that insurance carriers offer to consumers with group benefits might be a viable option for automobile insurance.

In the long run, our cost saving reforms will result in lower rates, and that's great news for all those who depend on their cars to get around and to get to work. We will continue to work toward a long-term solution to lower rates, cut insurance costs and improve protection. That's what we promised. That is how Bill 5 will help this government deliver on that promise.

**The Acting Speaker (Mr Bruce Crozier):** The Chair recognizes the member for Prince Edward-Hastings.

**Mr Ernie Parsons (Prince Edward-Hastings):** Thank you, Speaker. You need something for that throat, I think, but you're doing a great job this evening.

Boy, if there's ever an issue that every member in this Legislature gets phone calls on, it's car insurance right now. I had the pleasure of doing a two-hour phone-in radio show this morning in Belleville, and the vast majority of the calls were from really decent people who can't afford car insurance.

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Car insurance goes along with the very way of life we lead. I represent a primarily rural area. There is no mass transit. There is no other mechanism for people to get to work or to do anything else other than with their automobile. The prices have reached the point that I fear there are some people in Ontario driving without insurance or driving without car licences because they simply can't afford to pay. When we're seeing rates quoted that are higher than the value of the automobile itself, it simply doesn't make sense.

I was thrilled with the commitment made by Dalton McGuinty and the Liberals starting the campaign, and I'm thrilled to see coming forward for second reading Bill 5, the Automobile Insurance Rate Stabilization Act. The first thing it does is freeze the rates. That has been somewhat confusing to some of my constituents. I'm sure after the announcement was made, everyone in Ontario called and said, "I got my insurance bill and you announced a week ago that rates were frozen." But the way the system works is that insurance companies will apply 30, 60 or 90 days ahead for a rate increase, so they had that rate increase before the election, before the announcement by the Premier and before this bill was introduced. So the insurance company has in fact had approval to do the increase because it was prior to it. However, this bill very clearly states that it is frozen for the 90 days and approval of application in the Insurance Act for private passenger vehicle rate changes will be suspended until the bill is in force.

So we got rates frozen. The argument can be made by some people that, "Yes, but they're frozen at the highest rates," and very clearly that's the situation. Over and over we're seeing people experiencing double, triple. I dread now when somebody phones and says, "I want to talk about my car insurance," because I know these are decent people being faced with an insurmountable bill. They have to be reduced.

I applaud Mr Colle, the parliamentary assistant, who is going to be meeting with groups. Now, you can't simply legislate lower rates. There have to be ways found to



lower costs so that the rates can reflect that. That's going to happen. It's not going to happen in isolation. This is a government, again, that Premier McGuinty has committed will consult on major issues, because we recognize that not all knowledge rests within this Legislature. So Mr Colle will be meeting with groups to get their advice and suggestions. In fact, I believe it was Mr Smitherman who toured Ontario prior to the election consulting with groups and got some extremely useful information from them that will help to genuinely reduce costs.

Something had to happen, folks. People driving without insurance absolutely terrifies me. If they have an accident, they could lose everything; for the other people on the road, it's the risk that they're at, and don't know they're at, of facing a driver coming at them or causing an accident without insurance.

I'm also receiving significant numbers of calls from small businesses that are being cancelled. There is a group that is making a case in this province for public auto insurance. I'm not referring to the NDP, because I would quote the Toronto Star back on September 7, 1991, when Bob Rae is quoted as saying, "We have decided we will not be proceeding with public auto insurance for two very simple reasons: It will cost too much money and it will cost too many jobs."

He very clearly was very astute on that. We know that public auto insurance has its own pitfalls. There has been an estimate that there could be as many as 15,000 people required to administer it. Car insurance has become a problem in the last year, and we need to take the long-term view of it, which is that we believe private auto insurance will continue to work but there are going to have to be some legislated changes.

In many ways, I think the group that's giving the public reason to want public auto insurance is the insurance industry. I would dearly love to sit down with them and give them a little primer on how to keep the public on board with them. This is probably as good a time as any to do that. I'm thinking of some of the examples of people who have contacted my office about rate increases. They're not funny. Well, one is a little bit funny. In August, a constituent of mine who lives in a rural area quite some distance back from the road parked his snow blower. Now that snow is here, I'm just not prepared to confront that reality; I'm not a fan of snow. But the snow blower's sitting out in the driveway outside his garage while he cleans out the garage. A motorist who had very clearly been drinking comes along the county road, veers off the road, ploughs through a fence and strikes this parked snow blower. This gentleman was foolish enough to think if he had insurance, he could put a claim in for his snow blower. He did, and the insurance company substantially increased his rate.

The only thing he was guilty of—but I wouldn't even say it was reckless parking; he parked his snow blower outside in his driveway in August, and the car struck it. This gentleman, who has never had any other claim in his life—and is my age, which I would say means relatively young—now suddenly is confronted with his insurance

doubling because of this other impaired individual striking this parked machine.

This constituent's response to it was, "We need to get rid of these insurance companies and we need public car insurance." It's very bad practice to base a new law in one particular incident, but I'm saying to any of you who are in the insurance industry watching tonight that you need to be a little bit reasonable with your claims.

I represent a rural area, and these are small companies. We're seeing these small companies having their policies cancelled because the company that is insuring them doesn't want to face the risk that is associated with the commodity that they're hauling. I had a company call and the commodity they haul is water. They drive around tank trucks full of water, a relatively harmless substance, but the companies have decided they don't want to insure water any more. Once they cancel it because they no longer want that type of business—when he went to get alternate insurance, one of the first questions on the form is, "Have you ever been cancelled?" And his answer was yes; not that he had a claim, not that he had a problem, but that the company he was with was basically leaving the field. However, he had to tick the box that said yes, he'd been cancelled. So he has quotes. Other companies were prepared to insure someone carrying water, but at three times the rate he'd been previously paying.

I say to the insurance companies, you can buy a lot of public support by being a little bit more reasonable. I'll tell you what the ultimate for me was: I had a firm that prepared their premium for the next year; they actually paid it a couple of months before it was due. The insurance company neglected to credit them with that payment. So when the day arrived and they couldn't have the credit for the payment, they cancelled this constituent's insurance. They cancelled the insurance because they hadn't received the money. Then, when it was pointed out that in fact he had paid two months earlier, they said, "Yes, we'll insure you back but since you had been cancelled, your premium goes up."

**Interjection:** It must have been a mistake.

**Mr Parsons:** Yes, terrible. So these are probably exceptions, but I know each and every one of you in this Legislature has had calls from people concerned about the insurance industry. Rather than simply giving orders and directions as in the past, or saying, "Here, we'll try it. What do you think?" it's time we actually sit down with them and negotiate with them the best approach to it. Because insurance is an amazingly unique product: You have to buy it. You don't have to buy a lot of other things, but you have to buy insurance. You have to buy electricity, but the companies that sell insurance are able to decide whether they want to sell to you or not. I can go to the department store and say, "I want to buy a colour television," and they can't say, "No, I don't want to sell you a colour television." But insurance companies have the awesome power and responsibility that they can say, "No, we don't want to sell you insurance." I can go into the department store where there's a nice colour TV for \$400 and I can say I want it. They can't say to me, "No, for you it's \$600." That's the price.



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So we need some semblance of responsibility from the whole industry, and my best guess is the automobile insurance industry desperately wants to win this current situation. I understand they're losing money—I really do—and I know there are a number of reasons. I can't absolutely substantiate it, but I have been told by a usually reliable source that over 90 cents of every Ontario car insurance dollar ends up out of the country, either with foreign-owned companies or with re-insurance. I can understand that the stock market has not performed as well for them as it has in years past and they have to make money to stay in business. But I don't understand the need to simply arbitrarily say, "We're not going take on new customers, we're not going to take on new clients."

I particularly grieve for our young people, for a person turning 16 and getting a licence. Again, I'm thinking of the number of young people for whom transportation is a necessity. The students from the area where I live all ride a bus to high school in Belleville. At one time, school boards were able to provide late buses for these students so they could take part in extracurricular activities. They could be on the sports teams, they could be in clubs, they could stay for extra help. The previous government basically cancelled—not basically; the previous government cancelled the funding for late buses. So urban students are able to take part in after-school activities and walk to them, but rural students need a ride. For a lot of people, there isn't someone in the family available to drive them and the student needs a car or needs to drive the adult's car and the premiums have become extremely high for them. I know there are statistics that show they have a greater rate of accidents than older people, but still the rates have become absolutely unliveable for our young people.

Given the need for it, there has to be a mechanism to ensure that people have access to reasonably fairly priced car insurance, so that no one will be disadvantaged. I think this bill goes an awful long way toward achieving that. Certainly this isn't the end of the insurance issue, but I think this bill goes an awful long way toward achieving that.

The bill is about consumer protection, as it was with electricity, as it has been with our health care bills that guarantee quality of health care and that there will be no two-tier system. Our bill is again driven by the consumers, by the people of Ontario.

There will be a penalty for insurers who fail to comply with this bill. It's not just hollow words. We are clearly saying, "This is the direction we're going, and you have to do it." I honestly believe the vast majority of insurance companies will follow that, but if they don't—and it's great to have a carrot, but you sometimes need that little stick there too—their licence will be suspended or cancelled under the Insurance Act and they can be ordered to refund the premiums. So it would be pretty short profit if they refund the premiums that are in excess of the authorized rates.

This legislation is the mechanism that allows us to move forward on the election commitment to reduce auto insurance rates and—this is very important—make sure the savings are passed on to consumers. It is not the intention of this bill to increase the profitability of car insurance companies. We know they have to make money to stay in business, but I do believe we have a vast pool of customers here that companies will want to serve. We want them to be healthy financially. That's why we're not going to simply order them to cut by 10%. We want them to be healthy financially, we want them to continue to do business in Ontario and we want them to be able to pay their claims.

There is a better day coming on the stock market. There is a better day coming financially, and the better day started early in October, I believe. But there is a better day coming that will restore investor confidence and will have the stocks going back up in value, which will help the insurance companies. So again, this is a kind of compromise in that we want them to make money but we want the people to be able to afford it.

We're also looking at what I think is a really interesting concept: allowing consumers to customize their auto insurance. Some don't need a replacement vehicle; some don't need replacement income. If you're a senior who is not in the workforce at the present time, there's no need to have income replacement factored into it, which they're paying for. This bill will allow people to develop a customized one that truly meets their needs. Given the use of computers and given the use of pricing, there's nothing in the world to prevent us putting together a package that, on an individual basis, will result in savings because they will no longer have to pay for what they're not going to use.

There are still some long-term things to happen. I think that's kind of exciting, but I'm as excited about the fact that there will be consultation to make it happen, rather than its being arbitrary. I'm still adjusting to this new government, as opposed to the previous one, where bills didn't go to committee and didn't go to consultation. We passed bills at third reading that had no debate allowed on them. There would be time allocation that wouldn't allow third reading. You remember that.

**Ms Caroline Di Cocco (Sarnia-Lambton):** Yes, I do.

**Mr Parsons:** Yes. Well, that's going to change, and that has changed. It is just so thrilling to be part of a government that says, "We want to consult with the people and listen to them." It truly is a new era, not just for insurance, but for everything in Ontario.

We watched over the last year as rates went up. First quarter: 9.2%; 7.3% the next one; 8.5%; third quarter of 2003 it's gone up another 8.2%. When we add them together, those are numbers that were absolutely unsurvivable for the average citizen, so I applaud this government for its bill that will truly reduce insurance premiums and truly change the industry.

**Mr Garfield Dunlop (Simcoe North):** It's a pleasure to rise this evening to listen to the comments by the members of the government on their leadoff speech.

From their introduction of this bill by the Minister of Finance, they seem to be trying to conclude that they're doing something very special.

As you know, the regulations that were changed by Ernie Eves on July 2 and again on July 10 are actually the regulations that were in effect so that insurers could file their rates by September 30. As a member of the opposition, I don't really see where the savings are going to be from the legislation that you have introduced and we're debating here tonight.

I understand that the savings we had already identified by the rates that were set forth on September 30 are the rates that we needed to carry forward with. What you're doing is freezing them. Some of those rates are actually coming in as lower than what they were previous to that. You're guaranteeing in your election promise a 20% reduction in the rates. I'm assuming that's a 20% reduction from the rates they would have had in the previous year. I'm not hearing that happening from anyone at this point. After we debate this bill and after we get the new rates that are introduced over the next year, I'm really going to take a close look at how they actually affect the insurance industry.

The other thing I'd like to say is that I think as a society, as insurance companies and as legislators, we also have to take a look at other things; for example, house insurance rates and that type of thing. There's no question there is a problem there and some liabilities as well.

I look forward to further comment on this bill.

**Mr Michael Prue (Beaches-East York):** For the last hour, I listened to three speakers, who seemed to have a lot to say about the insurance companies, but never really got around to the issue of what's happening to people or why the insurance companies are suddenly finding it necessary to raise the rates so high. Just one of them briefly and casually talked about bad investments.

The reality is that the reason the rates are skyrocketing in Ontario is the same reason they're skyrocketing in Alberta, New Brunswick and most of North America.

**Mr Peter Kormos (Niagara Centre):** Except for public.

**Mr Prue:** Except for public; I'm going to get to that in a minute.

All of the privatized industries have raised their rates because they have made bad investments, and the stock market has not been favourable to them for the last four or five years.

**Mr Kormos:** Bingo.

**Mr Prue:** Aye, there's the rub. That is the reason why the rates are going up.

Then we hear horror story after horror story. I was thankful to hear those. I was thankful to know that a poor woman in Mississauga now pays \$9,000 a year to insure her car so she can go to work. An insurance company is charging her that on the basis of one small accident because they have been singularly unable to recoup the loss of bad investment in the stock market for the last number of years. That's what this issue is about; that's

what it's all about. You can sit there on the other side and you can freeze the rates. You can say, "You're going to pay \$9,000, poor woman in Mississauga, but we guarantee you that it's not going to go up another 10% next year." Big deal. That is not what it is. You have failed to do what you need to do, and that is to look for alternatives. Three provinces in this country have alternatives where the rates are going up only 4%, 5% or 6% and not what is happening here in Ontario.

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**Mr Dave Levac (Brant):** Thank you for the opportunity, Speaker. I do have something a little bit different I want to talk about, but first I want to compliment my three colleagues for bringing the Bill 5 message out and talking about exactly the problem we're going to be faced with: to ensure that everyone understands that the increases that are already going through are a result of the previous government not proceeding with that freeze fast enough.

Here's the point I wanted to bring up to members: There are three businesses in my riding; they're called the pilot car group. On the highway, pilot cars are the people you see driving in front of those big loads going from factory to factory. They've almost stopped working in Ontario. Why? Before 9/11, their insurance was approximately \$3,000 a year for the full business to be insuring the two, three or four cars in their companies. Guess what it is now? For a little mom-and-pop organization, it's \$15,000, if they can find it. They went from \$3,000 to \$15,000 in one day. Subsequent to that, we found out—this is a rather interesting point. They searched North America in terms of how much coverage they required with their safety record. They are the safest drivers on the highway, bar none. They cannot ride in the rain, they don't ride in the snow, they don't ride at night. They are the safest on the highway, and they can't even find insurance. They did a search of 250 different insurance policies across North America, and three wouldn't even give them a quote because of this insurance scam that's going on. And I'll call it that: It's a scam. You've got the safest drivers on the highway. I've got three businesses in my riding that are going out of business because they can't afford the \$15,000. So am I proud that this government is doing something about it? You better believe it.

**Mr Kormos:** I couldn't be more pleased to see this debate beginning. I'm looking forward to seeing Mr Flaherty, with his background and considerable skill as a lawyer in this area of insurance and insurance law, address the issue. I found it remarkable that the Liberals—now mind you, needing three people to do a leadoff. That's remarkable. It's better, because I think the other night you needed seven guys to do a leadoff. Please. Gosh, seven people to do a leadoff. Holy moly, what do you do when things get tough?

I'm looking forward to the debate because I found it remarkable that the Liberals in this lineup of leadoff debaters would spend such a considerable amount of time challenging public auto insurance. I found it remarkable.



I suppose it's not surprising. Liberals in Alberta now endorse public auto insurance. Liberals in provinces in eastern Canada now endorse public auto insurance. I tell you, I've been watching public auto insurance, watching the three western provinces of Manitoba, Saskatchewan and British Columbia. I see Gordon Campbell, a right-wing Liberal Premier who is rivalled only by Dalton McGuinty here in Ontario. We know who the model is for McGuinty, it's that Sacred Liberal, Mr Campbell, Premier of British Columbia. Mr McGuinty's British Columbia cousin, Mr Campbell, is a fan of public auto insurance. He tinkered with the prospect of dismantling it, but wouldn't dare. That's just like Sacred Premiers, guys like Vander Zalm who privatized anything that moved and if it didn't move, he kicked it till it did, and then he privatized it. He didn't touch public auto insurance in BC because public auto insurance works. When are you guys going to get it? You guys crawled into bed—it's a king-sized bed obviously. This is a *ménage à trois*: you've got the Liberals on one side, the Tories on the other, and the insurance companies with their arms around both of you. That's illegal in some jurisdictions.

**The Acting Speaker:** The member from Prince Edward-Hastings has two minutes for a conclusion.

**Mr Parsons:** I appreciate the comments from the members for Simcoe North, Beaches-East York, Brant and Niagara Centre. I am a little bit intrigued about the concern of seeing democracy in action, where we see a number of Liberal members participating. But you do have to admit, it's easier for you to get all of your members up in a day than it is for us. It's just straight math.

**Interjection:** We share.

**Mr Parsons:** We share, and there are more of us to share. There are a lot more of us to share the time over here. So I apologize if hearing a diversity of opinion is a problem.

I have heard an expression that I quite like, which says, "For every difficult situation there's always a simple but wrong answer." This is not a simple solution, but what this bill does is put in place a process to develop that solution. A process does the immediate thing, which is to freeze the rates. Sure, that doesn't solve all the problems. We know that. It's not a lifetime freeze. It's not a one-year freeze. It's a 90-day freeze to prevent increases while we consult with experts and the general public, and we talk to people and get the ideas for solutions.

This government is a party that is inclusive, that wants to hear the opinions of other than just one or two people within our caucus, and so it's opened up to that. I watched with interest before the election, when the Conservative Party would make an announcement that, "We're going to do this and that will save," and then the insurance companies the next day would say, "No, that won't lower premiums." I thought, these two groups aren't talking to each other; they're talking at each other. We want to talk with others and get the determination for it.

Public auto insurance: Sure, you can keep the rates down if you're prepared to subsidize it out of taxes. We

have industry here. Even Howard Hampton during the 2003 election said it would cost 5,000 jobs to go to public auto. He called that a relatively small number of jobs. I call 5,000 a lot of jobs.

**The Acting Speaker:** Further debate?

**Mr Jim Flaherty (Whitby-Ajax):** I'm pleased to rise to participate in the debate on Bill 5 and, more generally, on the insurance issues in Ontario and the automobile insurance issues in particular. I listened with interest to the comments made in the last few minutes by the member for Prince Edward-Hastings. He referred to savings in Bill 5. This is Bill 5. I think we're debating the same Bill 5. If the member is talking about savings for persons who drive automobiles in Ontario and who own automobiles and pay insurance premiums, there are no savings for any people in Ontario in Bill 5. There are no savings at all in Bill 5. In fact, worse than that, there's the prohibition in Bill 5 for motorists in Ontario having the benefit of any of the rate reductions that would flow from the filings that were done by insurance companies with the superintendent of insurance in Ontario on September 30. But more about that in a moment.

The message of Bill 5, as referred to by the member for Brant, was something about increases going through. I think he means increases in premiums going through and he seeks to blame that on the previous government. Again, that's not just wrong, but totally wrong. In fact, the insurers were obliged to re-file the rate applications effective September 30. Those applications are pending before the superintendent of insurance. I'm advised that the superintendent of insurance has not dealt with any of them, but certainly there are rate reductions available in those applications.

So as I say, not only are there no reductions for drivers in Ontario in their insurance premiums in Bill 5, there is a great deal of delay by the government, which they seek to accomplish by Bill 5. But there's certainly no Christmas present for the people who are obliged to pay these insurance premiums, our neighbours in the province of Ontario.

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First of all, Bill 5 has no rate reductions. Secondly, it delays available premium reductions to people in Ontario. Another thing: It has zero in it, absolutely nothing, for commercial users. There was some reference in the House tonight to small business, to large business, to commercial carriers. This bill specifically prohibits any reduction, anything, for all the small business in Ontario. This bill that stands in the name of the Minister of Finance once again is ignoring small business in Ontario. They have already increased taxes for small business in the province; now they're going to make sure they continue to pay high insurance premiums, particularly in automobile insurance. It amounts to nothing more than window dressing.

Let me explain why over the next while, when I have an opportunity to go through this Bill 5—it starts, actually, with the title, An Act to temporarily freeze automobile insurance rates for private passenger vehicles.

The promise, as many in this House will recall who are familiar with the 231 election promises which are very conveniently listed by Lorrie Goldstein, the editor of the *Toronto Sun*—if any of the Liberal members in the House or anyone else needs a copy of this, I'll be happy to make a copy for you. It's yet another incidence of the Liberal government, before they were the government, being prepared to say anything to become government. They promised the people of Ontario that we would see a reduction in automobile insurance rates. What do we see? We see Bill 5. Reduction? No. An Act to temporarily freeze automobile insurance rates. No reduction here; yet another broken promise set out in the title.

This is old-fashioned politics. This is the politics that starts where you run for public office and tell people, "A chicken in every pot," tell them what you think they want to hear, be cynical about it—

*Interjections.*

**The Acting Speaker:** Order. Let's listen a little bit and then we'll see how it goes.

**Mr Flaherty:** I can understand the government House leader being concerned about the inadequacy of this bill and the broken promise. I can understand his upset about that. He should be upset about the cynicism in politics that this type of bill represents, the cynicism that is represented by people seeking public office and making long lists of promises, the 231 election promises—

*Interjection.*

**Mr Flaherty:** —the member for Brant doesn't even understand the bill and now he's making a lot of noise over there—and then getting elected and immediately starting to break the promises. This is the worst example, especially to young people who try to see why they should care about political life, of why they should care about public life in Ontario.

All across the province—many members tonight will know this; even the member for Brant probably knows this, and maybe the government House leader—municipal councils are having their inaugural meetings. What was the voter turnout across Ontario in municipal elections? What was it in our provincial election? Less than 60% across the province. Why has that happened? In municipal elections it's often between 20% and 30%. The member for Pickering-Ajax-Uxbridge, the former mayor of the city of Pickering, knows well the cynicism that we see created by politicians who, like the member for Brant, run on a platform of 231 election promises, get elected and immediately start breaking the promises. That's the member for Brant. That's the government House leader. That's the Minister of Finance, who introduces Bill 5.

This is the kind of thing that says to young people in particular, "Why should I show up at the polls? Can I trust politicians? Can I trust people seeking political office who ask me to have faith in them, who ask me to go to the polls and make a choice?" This is the cynicism.

John Ibbitson, whom some will recall—he's now at the *Globe and Mail* in Ottawa—wrote a book about the Harris years. He talked about Mike Harris being a

revolutionary. Many people said that was about tax reductions and different changes in legislation in the province of Ontario. But that's not what John Ibbitson wrote. What he wrote—and even the government House leader I'm sure has read a book from time to time—that was truly revolutionary was that here was a politician who, before he was elected, wrote down in simple, straightforward language so that people could understand it, "Here's what I'm going to do if you vote for me." Then, when he was elected—and this was the revolutionary part—he actually did what he said he would do.

Now, in the year 2003, we have just the opposite phenomenon. On only the fifth day of the sittings of this Legislature we already have about a dozen broken promises, and we have a long way to go. The biggest promise of all has already been broken: the promise that, according to Premier McGuinty, "I will hold the line on taxes." That promise is already out the window for all the people of Ontario. How long did that take? Five sitting days in the Legislative Assembly of Ontario; that's all. No wonder young people are cynical about politics, no wonder a lot of people who aren't young are cynical about politics, when this is the behaviour of a government that bills itself as a government of change, as a government that will make things better. What a way to begin, by promising the sun, the moon and the stars and then, as soon as you get elected, break the promises, break this one, break the next one. Promise breakers, tax hikers, that's who they are, and the people of Ontario already see you for that: cynicism in public life. Whatever happened to what we teach our children, that a promise is a promise and that we should keep our promises? What a terrible example. This Bill 5 is a good example: the broken promise that there would be a reduction in insurance premiums. Instead, we have a freeze. These reductions were available since September 30.

We made some reforms in automobile insurance law in Ontario this year. We instructed the insurers, as a mandatory matter, that they must refile with the superintendent of insurance by September 30. One look at this bill and you see what the Liberals are up to here. You see the section that deals with—it's section 3 of the bill—the date at which premiums are frozen. All the automobile insurers in Ontario had to refile effective October 30, 2003. What is the date of the freeze imposed by the Liberals? Is it after October 30, so that the superintendent could approve some of those rate reduction applications by insurance companies? No, it's not. It's October 23, 2003. All that work done by the insurance companies—and I'll say more about insurance companies and insured persons—the savings put into the system this year that would have permitted people in Ontario to have a reduction in their premiums today, has been taken away by this government freezing premiums effective October 23, 2003. They are prohibiting, by this proposed legislation, the insurers in the province of Ontario, by having their applications not being capable of being approved by the superintendent of insurance. Who's doing this? The



government House leader and the rest of the executive council, and I suppose caucus if you know about it. October 23, 2003, is the effective day of the freeze. That's calculated; it's intentional. It denies the people of Ontario who otherwise would be entitled to rate reductions depending on their insurer and that application. It denies that possibility in Ontario.

There's an expression for that I recommend it to those on the other side of the House, and in fact to those on this side of the House who are members of the government—and you're welcome to switch to our side, if you want—a concept that's called “file and use.” When you discuss automobile insurance, when you discuss insurance generally, the idea is that insurers, when they file with the superintendent of insurance, would be able to use the rate, within a range that they file with, immediately for the benefit of consumers in the province of Ontario. We would have rate reductions for many consumers in the province of Ontario today, because insurers have said that they were complying with the rate reduction availability that was created for them—some of them were—as a result of the reforms made by the Eves government before September 30, 2003.

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**Mr John R. Baird (Nepean-Carleton):** You wrote the book.

**Mr Flaherty:** The member for Nepean-Carleton points out that I wrote the book on the subject. Thank you very much. I hope we keep selling those.

The freeze that is proposed in Bill 5 is a broken promise, but in fact it's worse than that. It is misleading to the people of Ontario to suggest that insurers—

**The Acting Speaker:** Excuse me. Order. I think the member might want to consider the use of the word that he just used, and he might want to withdraw it.

**Mr Flaherty:** The title of the bill is misleading to the people of the province of Ontario, Mr Speaker. That's not a comment on a member.

**The Acting Speaker:** I'm going to ask one more time that you consider the use of that word, and withdraw.

**Mr Flaherty:** I'll withdraw. But I say to you that the title to this bill is inaccurate. It's wrong. It says it's freezing automobile insurance premiums. When you look in the bill—and I'm sure that members of the party opposite and on this side have looked at the bill—and if they look at section 6, they will see that the superintendent of insurance, despite this so-called freeze, may approve applications that are made during the time of this so-called freeze—

**Mr Baird:** Section 6.

**Mr Flaherty:** Yes, section 6. The small print here is always the dangerous print. If the superintendent thinks it's “just and reasonable in the circumstances, having regard to the insurer's exceptional financial circumstances”; “if the insurer believes it is just and reasonable in the circumstances”; if “it is in the public interest.” This is a loophole that, if you'll forgive me, you could drive a truck through, except this bill doesn't cover trucks. I

already covered that. It doesn't cover commercial insurance. It doesn't cover small business.

They can apply for higher rates during the time of this so-called freeze. “Reasonable”: the superintendent can decide whether in the circumstances—“the insurer's financial circumstances,” not the financial circumstances of the millions of people in the province of Ontario who have to pay these automobile insurers. That's not in the Liberal bill. No, it's the insurer's—that's the insurance company's—financial circumstances that are to be considered by the superintendent of insurance, if this bill is passed in Ontario.

That's a concern. It's—I won't say that word because you don't like that word, Mr Speaker. I'll say it takes the people of Ontario down a road that leads to a conclusion that is inaccurate. That is, they think that it's a freeze. They think insurance companies won't be able to get rate increases during this period of time. In fact, they will be able to do so, depending on decisions in this huge loophole by the superintendent of insurance, if the insurer believes that it's justified.

So what do we have in the bill? We have a broken promise. We have a promise by the Liberal government that they will reduce automobile insurance premiums by various percentages, and they use different ones all the time. There's no reduction here. They say it's a freeze. Is it a freeze? No, it's not a freeze. It has a huge loophole in it that you can drive a truck through. It's neither of those things. So what is it? It's window dressing designed to buy time for a government that doesn't know what it should do.

This is a serious issue for people in the province of Ontario. It's a serious issue for people in Whitby-Ajax, I can tell you, more than half of whom are commuting, many of whom take the GO Train and so on, but many of whom have to take their cars. So this an important issue. This isn't something that government should be sweeping under the rug; that government should be delaying for three months; that government should be breaking promises about; that government should be calling a freeze when it's not a freeze; that government shouldn't be dealing with small business about. It's very important, vital for small business in Ontario.

Truckers, small business, I know members here have heard from them. I'd like to know a member in this House, Liberal, NDP—

**Mr Baird:** Marilyn Churley.

**Mr Flaherty:** —or Marilyn Churley-NDP or Fibber McGuinty, Liberal—

**Mr Levac:** On a point of order, Mr Speaker: This has been dealt with several times today. I wish the member would withdraw the word that he keeps using against my leader.

**The Acting Speaker:** If the member feels it's inappropriate, he can withdraw it.

**Mr Flaherty:** To quote another great Liberal, “A fib is a fib until it's proven it's a fib.”

**Mr Levac:** I would like that removed and it hasn't been withdrawn yet.

**The Acting Speaker:** It seems to me I heard it earlier in the House today. I can't recall that it was found to be out of order, but I'm sure the member will consider that, and perhaps he could help the Chair by simply refraining from using it.

**Mr Flaherty:** I know the member for Brant is very concerned with giving a good example in political life, so he would be very concerned that there'd be broken promises. He'd be very concerned since he's spoken on this bill. The member for Brant in particular would be concerned about the motorists in his riding of Brant who would mistakenly believe—mistakenly believe—that they will actually get a rate reduction out of Bill 5, that the member for Brant has supported in this Legislative Assembly this evening, that they would get the impression from the comments of the member from Brant that there are savings in Bill 5 for his constituents. But there aren't any in Bill 5, and there's certainly nothing for small business in Bill 5.

The member for Brant would have constituents who are concerned with border issues and the cost of commercial insurance. He'd be concerned about that. You'd think there'd be something in Bill 5 about that, but there's nothing. They're excluded from even being considered in Bill 5. They don't even get to have the superintendent of insurance use a loophole. They don't even get to the superintendent of insurance, because their vehicles aren't included in this Bill 5.

This is important for all of us. It's certainly important for the people in Whitby-Ajax. I'm honoured to have been returned by the people in Whitby-Ajax in 1995, 1999 and again this year, 2003. I'm happy to be here speaking on this issue tonight. I regret I'm not at Whitby council or Ajax council to welcome the new members of council and the returning members of council in Whitby and Ajax. They were meeting at 8 o'clock tonight: Mayor Brunelle in Whitby and Mayor Parish in Ajax; the returning and new members of the Whitby town council; the regional councillors Joe Drumm, Gerry Emm and Pat Perkins; the local councillor Shirley Scott; new councillor Lorne Coe, from the east ward in Whitby, and Mark McKinnon from the west ward; and another new councillor, Sue Pitchford, from the north ward in Whitby.

In Whitby we have a sense of community; a co-operative attitude among our elected officials; a new library; a new university, the University of Ontario Institute of Technology.

Environmental protection: We protected through legislation in this House the Lynde Marsh, the largest class A wetland between St Catharines and Picton, along the north shore of Lake Ontario. All of those things.

We are concerned about automobile insurance. We're concerned about transportation generally. Tomorrow morning, I think it's at 10 am, will be the official opening of the largest new interchange in the province, Highway 401 at Salem Road, which I'm proud that our government—the previous government—made sure happened in this thriving town of Ajax.

All of these things are important and they strike on our sense of community, our obligation to each other, the im-

portance of being able to afford to operate a motor vehicle, which is very important in the greater Toronto area and in the 905 area.

Balance in our lives: The new Abilities Centre Durham, which is planned by Iroquois Park in Whitby, which will be a state-of-the-art facility, provides services to persons with disabilities, although we're calling it the Abilities Centre Durham because it emphasizes not disabilities but the fact that all of us have certain abilities and certain limitations. We should emphasize our abilities together rather than those things with respect to which we have more challenges.

## 2020

During the period of 1985 to 1995, when the Liberals were in power here from 1985 to 1990 and then the NDP from 1990 to 1995, the people of Durham region, the people east of Toronto, were the poor cousins of those to the west of the city of Toronto. That has changed now with the eight years of government from 1995 to 2003, when we had strong representation and a government that cared about Durham region.

Auto insurance is important to my constituents. I want to speak tonight for a while about the context of automobile insurance and insurance generally in the province of Ontario, with a view, I hope, to members seeing the issue as more than a stop-gap issue, as being an issue that we should spend some time on, that deserves full and candid debate, and a review of the issues in the province of Ontario.

The government is not doing anything with Bill 5—this is just window dressing—but in a few months they promise to come back with something that perhaps, we hope, will have some substance and will address the genuine needs of motorists in the province of Ontario.

This debate is not new. In the mid-1980s approximately there was a so-called insurance crisis in Ontario, in Canada and in North America. This spilled over into the automobile insurance area. It was a debate about availability of coverage and affordability of coverage. That sounds very familiar because, of course, that's exactly what we're talking about today in this context, but also in the broader context of insurance availability generally for consumers and for business in the province of Ontario—commercial insurance, homeowners' insurance, as well as automobile insurance.

The crisis, as it was perceived, in the mid-1980s grew out of business insurance concerns. There were rising premiums. There was a case that had some notoriety in our courts that some members may recall was called the Brampton case. It was a person who was riding a motorbike or a motorcycle in a quarry—I think it was an abandoned quarry—in the city of Brampton who was badly injured. That case proceeded through the courts. In fact, it wasn't an automobile insurance case; it was a case involving the municipal liability insurance policy of the city of Brampton. There was a decision in that case, in the early stages, of an award of more than \$6 million against the city of Brampton. Ultimately, as with a number of these cases that become popularized, they're



not reported quite as well later on when they go to appeal, if they go to appeal, as they are when they're at the initial stages of decision-making. The Brampton case was dismissed on appeal, but it was used as an example by many of the type of case, in which awards were being made to people in the province of Ontario who are victims, that was viewed as an example of excess awards in non-liability or perceived non-liability situations. So this brought up the traditional arguments—this was 28 years ago, in the mid-1980s—about traditional tort remedies, tort compensation and no-fault compensation. We heard a bit of this tonight from the member for Welland-Thorold and the role of the courts, public insurance, private insurance.

The real issue is this: When we are talking about compensation for persons who have been injured in automobile cases and in other situations, but particularly in automobile cases, how do we balance automobile premiums? How do we keep automobile insurance premiums at an acceptable level for consumers while still funding an equally acceptable level of personal injury compensation?

The developments, then, in the mid-1980s related to an emphasis on no-fault automobile insurance, compensation through a no-fault scheme and compensation through the tort scheme. In the determination of auto insurance costs, there are four areas that need to be looked at. This is why it's important that, as the government delays over the next several months, they take time to consider these various issues and the various aspects that come up in each of these areas.

First of all is third-party liability. That is, what is the liability of a driver who, through his or her fault, causes damage or injury to another.

Second is no-fault compensation for personal injury, which is what compensation should be provided to an individual in Ontario, regardless of fault, when they're injured in a motor vehicle accident.

The third area is a big area that doesn't get talked about as much but is very important and that is the collision coverage area: the cost of repairing automobiles in Ontario, the cost of parts. It's not a very dramatic subject but it is a very expensive subject in this province.

The last area is comprehensive coverage, and that has to do with theft and other losses relating to automobiles in the province. That again is an area involving fraud and the theft of various types of vehicles, some specifically, that the Insurance Bureau of Canada has addressed from time to time and which is important for government to address if a serious attempt is going to be made to reduce automobile insurance premiums or at least control the rate of increase of automobile insurance premiums in the province.

The debate about tort and no-fault is not new. In fact, in Ontario we have had some degree of no-fault compensation since 1969. Mandatory no-fault, loss of income and medical rehabilitation benefits have been in place in Ontario since 1972. One of the big differences that applies in Ontario and across Canada and doesn't apply

to the United States in a uniform way is the availability of medical coverage. We have universal OHIP coverage here in the province of Ontario. That makes a dramatic difference in terms of the coverage that needs to be provided for hospital and medical coverage in Ontario, whether it's no-fault or tort compensation.

So we had these issues back in the mid-1980s. The government of the day, which happened to be a Liberal government, Premier Peterson at the time, appointed Dr David W. Slater, I think it was in 1986—he was an economist—to review the issues, which he did. He produced a report called the Slater report in 1986, which had a series of recommendations which the government considered and then appointed the gentleman who is now our integrity commission in Ontario, the Honourable Mr Justice Coulter Osborne, who at that time was a sitting judge, to review the automobile insurance legislation in Ontario, the compensation schemes and to make recommendations, which he did in his report on automobile insurance compensation.

The result of all of that was a bill in 1990 called Bill 68. It expanded no-fault coverage in Ontario. It created for the first time a barrier to compensation in tort for innocent victims of motor vehicle accidents, and that was a very significant development. That had not happened in Ontario's history before, to create a threshold of serious and permanent injury; that someone sustaining an injury through no fault of their own that did not meet the threshold would not be entitled to tort compensation. Of course, they'd be entitled to the no-fault compensation, but not the tort compensation.

In terms of process, that bill created the Ontario Insurance Commission, as it was then called, and created mediation and arbitration provisions on the no-fault side. Those were important developments back in 1990. In fact, I think it's fair to say they were radical changes in the law back then. Again, this was in the context of the Canadian experience in court awards.

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Some people have the impression, perhaps from American reports or American television, that we have very large awards in Canada for what are called non-pecuniary general damages, as much of an oxymoron as “non-pecuniary general damages” might be—damages for pain and suffering, loss of enjoyment of life, damages at large. In fact, we don't have huge awards in that area. In 1978, the Supreme Court of Canada, in a group of cases referred to as “the trilogy,” decided that the maximum award for general damages for pain and suffering should be \$100,000. That was \$100,000 in 1978 dollars, and that's substantially more today given inflation. But again it puts into context the Ontario—and to some extent the Canadian—experience, which is different than elsewhere.

We also have something called the statutory accident benefits schedule—the acronym is SABS—in Ontario, developed in 1990. So we have this system coming out of 1990 and Bill 68 that is an attempt to balance the competing claims, that is complex, that involves a

threshold in tort law and tort compensation, that involves in first-party compensation, no-fault compensation, a mix of court access and mediation and arbitration through the Ontario Insurance Commission, an attempt to balance acceptable levels of premiums and reasonable compensation for innocent victims.

Innocent victims have a right to compensation, and I will certainly advocate for and defend that right. The principle of tort law, which deals with civil wrongs, is that as citizens in our communities, when we cause harm to someone through our fault and negligence, we wish that they be made whole. With an automobile, any of us acting negligently—we hope not—can cause a lot of harm to somebody else. That could be financially ruinous, of course, to any individual in our society; hence insurance, which is the grouping of risks. Our premiums are pooled and are there to compensate those persons, children or whomever, who through our negligence may be hurt. That's the tort compensation part of things. It's based on a good foundation, and the principle is right.

I say, and I know the other members would see this point, that we have to be careful when we address reform, be it in automobile insurance or other insurance areas, not to do harm, not to deny persons who are fully entitled to and ought to receive compensation. I've seen very serious cases in my time in the area of brain-injured children and so on, whom I'm sure all members of this House would agree need full entitlement to compensation. We have to make sure, as we review automobile insurance law in this province, that we do not deny future unfortunate victims their entitlement to that compensation.

At the same time, we have to make sure that the level of compensation on a no-fault basis—that is, regardless of who causes the harm—is not excessive. We have to make sure that fraud in that area is minimized. There's no great secret—the reports say this, and one can read about the cases in the newspapers—about the jump in cases where there was only one person in the car, but when the case goes to the mediation hearing there were three, and they all say they were injured. It is remarkable what some folks will do for perceived benefits in the province. So we have to police for fraud. Why? Why bother? It's just insurance companies' money and all that. Well, of course it drives up our premiums. But even more than that, it takes money away from innocent victims who need the compensation and gives it to fraud artists here.

We need to talk about theft. We need to look at the cost of collision repairs. These are complex issues. So I say to the members opposite, who are the government of the day, as you review this large issue of automobile insurance and the particular issues over the course of the next several months, bear these concepts in mind and realize that this issue has been looked at and studied in some detail by Slater, by Osborne and by others, going back over the past almost 30 years in Ontario and that there's a substantial body of available expertise, of available information going back at least over that period of time, if not before, with which to compare Ontario

performance and the performances elsewhere in the country.

This bill, Bill 5, doesn't accomplish any of the things I've been talking about. It applies only to private passenger cars; it doesn't apply to commercial vehicles. It doesn't reduce rates. It purports to freeze rates. It doesn't even freeze rates, because the superintendent of insurance is empowered to raise rates where he or she sees it reasonable to do so upon the application of an insurance company. So this bill, as I say, is window dressing. But what will come back over the course of the next few months is important for the people of Ontario.

Our reforms, the reforms that the Eves government brought in this year, resulted in savings for the automobile insurance industry. As the industry goes through the year, those savings would be realized, and into next year. It was for that reason that the Eves government directed automobile insurers to refile, effective September 30. Unfortunately, the bill prohibits the superintendent of insurance from approving those applications, some of which would have resulted, no doubt, in reduced premiums today for people in the province of Ontario.

I say again to the members opposite that they might well wish to consider the file-and-use mechanism that is suggested by some automobile insurers in the province of Ontario, and that is where an application is filed with the superintendent of insurance and would result in a modification of rates to the benefit of consumers, that they be allowed to use those rates immediately, subject of course to later review by the superintendent of insurance. In that way, the rate reduction, the reduction in premium, passes right away to the consumer. There are variations on that that I hope the government benches will consider as they look forward to automobile insurance issues and the improvement of the premium situation in Ontario.

There is a need for fairness and a need for competence and diligence as these issues are reviewed. I am worried about that. I'm worried that there will be the tendency to look for a quick fix. That has happened in other places. There were some recommendations made in the reports back in the 1980s and in subsequent commentaries that would have quite a dramatic effect on innocent victims in the province of Ontario.

They also would not address what is a significant problem today in the automobile insurance sector. The area is complex, and there is a need obviously for medical assessment of individuals who are injured, sometimes alleged to be injured, in motor vehicle accidents. The system that is extant now, the DACs, as they're called—designated assessment centres—are expensive, and they engender substantial delay in the processing of personal injury claims. That's bad for victims, and it's bad for insurance companies. Delay is bad in the system because it costs a lot of money, and that money is borne by all of us in our automobile insurance premiums. That delay is bad also because it's expensive, and those expenses do not flow to innocent victims. They don't compensate the people whom we are together seeking to compensate in this system of reparations called auto-



mobile insurance. So it's important that we get at the transactional costs, if I may call them that, in the automobile insurance sector and that we drive those costs down.

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There will be debate about some of those costs. Some of the health care professionals charge, and are permitted to charge, significantly more in automobile insurance cases for their services than, for example, they are permitted to charge if they're dealing with an individual who has a workers' compensation complaint. They will give reasons why they should be allowed to charge more in automobile insurance cases than in workers' compensation cases. I find that argument less than compelling, but I leave that to members on the other side who I know will review this in great detail. Since they're not doing anything in Bill 5, this will give them an opportunity, including—the government House leader is back, sans jacket but back. Here he is in all his glory.

*Interjection.*

**Mr Flaherty:** The other member for Nepean. Did you call him the junior member? How American.

**Hon Jim Watson (Minister of Consumer and Business Services):** You wanted to Americanize Ontario politics in four years.

**Mr Flaherty:** What is it? "Liberals Americanize Canadian Politics," the Legislative Assembly of Ontario; the junior member for Nepean. There we are.

It is important in the compensation scheme to look carefully at the transactional costs. That is a serious issue: to streamline the costs that are incurred by insurers, and therefore by all people who buy automobile insurance in Ontario, as we go forward. There's that. There's the importance of maintaining a level—and I think many would agree with this—of basic compensation for persons who suffer injury, loss of income benefits, medical and rehabilitation benefits over and above OHIP. So there's that need.

Then there's the need to provide a degree of tort compensation. In fact, I would argue for rather a large degree of tort compensation, because the system works and it's tailor-made; it respects individuality in our province and it respects the dignity of the individual, because no person suffers the same as the other person. An injury to one person may be less significant to that person or more significant than it is to another. But the great value of the tort system, and of the court system administering the tort system, is when you get a situation like a young child with a debilitating injury like a brain injury. Then the courts are in a position to assess the case carefully and individually and make the best effort possible, with the aid of experts and physicians and others, in looking forward in that young person's life and making sure that person will have the compensation needed to receive not only the care they need but also the rehabilitation and the comforts they need as they go forward.

So as some will no doubt talk about lawyers who act for plaintiffs being aggressive in their cases and causing

premium increases, I'd say this: We need to recognize the value for individual, severely injured people who are served by those lawyers. So there's that; there's the no-fault side; there's the importance of getting rid of theft and fraud.

There's also the importance of a very thorough review. I hope that as the government looks at this issue, they look at it in a comprehensive way, that they avoid the kind of window dressing that is represented by Bill 5 and that they balance their review with the need that consumers of automobile insurance have in the province—and it is a mandatory product—the need that people have, to have reasonable automobile insurance premiums.

An automobile for most people in Ontario is not a luxury; it's necessary for them to carry on their lives, raise their families and earn a living in most communities. This is particularly true of course in the greater Toronto area, where there's a great deal of commuting to work, and in Ottawa and other cities across the province. So as the government reviews the significant issues, I hope they bear in mind that this is not a theoretical exercise. It affects families and individuals directly in Ontario, and there's a tremendous need for a comprehensive review of the issues relating to automobile insurance, and a need, quite frankly, for the government to attempt to keep its promise. Its promise was not to temporarily freeze automobile insurance rates; its promise was to reduce those rates. I think "rollback" was the term that was used by the Liberals and their leader during the course of the election campaign.

How do they do that? "Consult broadly." We certainly heard that a lot when we were on the other side of the House, the need to consult broadly. I know the government House leader is a great consultant. He gave me great advice when he was the—what did they call him then? He was he was called the House leader of the official opposition. I didn't appreciate the then-wisdom of the opposition House leader when he told me, "When you're in opposition, you only need to know four words, that the so-and-sos did what." I'll leave out "the so-and-sos." As you enjoy your hours and hours of briefings and all that as Minister of Energy, I hope I'm mindful of your hard work and all the briefings you have. When you get to automobile insurance I hope you will apply that diligence, of which I'm sure you are all capable, and don't do this other thing. This is a big problem we have in Ontario now, these 231 election promises. This is a terrible, terrible problem. Look at that, "Broken Promises Stalking New Premier," another headline. Look at that.

**The Acting Speaker (Ms Caroline Di Cocco):** I would ask the member to put that down.

**Mr Flaherty:** I'm sorry, Speaker. It was the junior member for Nepean-Carlton.

The concern starts of course with the big issue about holding the line on taxes. I'm sure the Premier now finds those words regrettable, "I will hold the line on taxes." No doubt they'll disappear from the Web site, but they were actually still on the Liberal Web site today. For

those people who are watching and want to go to their Web site now, they can let me know whether that promise is still on there. Mr Agostino may go now to check—no, he's still here. It says, "We'll hold the line on taxes." This was after—it's hard to believe that's still on the Web site after what happened last week. Did you see what happened here last week? That bill that was introduced, Bill 2: the largest single-day tax increase in the history of Ontario. That was a week ago and they still haven't taken that promise off the Web site. "We'll hold the line on taxes," and the largest single-day tax increase. "I won't raise your taxes": There was another promise, kind of like the other one. Was that one on the Web site too? People can call and tell us whether that's on the Web site. This is shocking business. It's a bad start, when we have serious issues to deal with like automobile insurance, not to do anything about them, to just bring in a window dressing bill that doesn't reduce premiums in Ontario and doesn't apply to trucks, small business and commercial vehicles.

There was that big promise, the whopper about holding the line on taxes and not raising taxes. That's a big one. I don't think you can get much bigger than that one when you bring in the largest single-day tax increase in the history of Ontario. Did I mention that?

*Interjection.*

**Mr Flaherty:** Yes, that was another one that came up today: the hard cap on class sizes in Ontario. My goodness, that's a dumb idea. That's really dumb. Talk to principals in your ridings. I'm sure you have. They'll explain to members—I'm sure members have already heard this. They're nodding their heads. The Liberals appreciate this. What do you do with the 21st student? You build another school or you get a portable. We have to believe in our principals as the persons in charge of their schools, and they need to have that flexibility. That's why a dumb promise like that about a hard cap of 20 students is not in the best interests of the people of Ontario. I urge the Liberals to go and talk to school principals in their ridings about this and be educated on the issue in the best interests of the students and, of course, their parents.

2050

There is also this regrettable thing about the proposed retroactivity of the equity in education tax credit repeal. The idea of repealing this legislation is discriminatory, in the first place, and is against the concept of school choice, which the Liberals and the Premier of the day say they believe in. They believe in school choice, they say, but they only believe in school choice if your school is unionized. They don't believe in school choice if you're not a unionized school. That's the test that this Minister of Education follows. It's not surprising since he and the Liberal government made substantial commitments to the unionized sector.

If you answer the question, and you think about it, "Who is in charge of the education of children in Ontario?"—

**Mr Dominic Agostino (Hamilton East):** The union bosses.

**Mr Flaherty:** The member for Hamilton says it's the union bosses. No. It's parents who are responsible for the education of their children. It's very important that we remember the fundamentals, who should choose where their children go to school, and to remember that where parents choose to send their child to an independent school—and two thirds of those schools in Ontario are religious or ethnic—those parents are making a choice based on their own values and beliefs.

When we brought in the equity in education tax credit, we made a point of capping it at a maximum tuition of \$7,000 a year. The so-called elite schools that the Minister of Education refers to are schools that charge tuition that is much higher than that. The average cost of educating a child in the four public school systems in Ontario is approximately \$7,000.

These broken promises—

**The Acting Speaker:** Could I ask you to take your seat for a moment, please. I believe the topic is insurance. I have listened at length, for about five minutes, and although your discussion is of great interest, I don't think it is to the topic of the bill. I would ask that the member go back to the topic of the bill.

**Mr Flaherty:** I'm just getting to that, Speaker, about how they get to school. It's in their cars, and they can't drive their cars—

**Interjection:** And their buses.

**Mr Flaherty:** And their buses. Their buses aren't even covered by Bill 5. There's the problem.

**Interjection:** Exactly. They've left out the bus company.

**Mr Flaherty:** There you go. School buses are not covered by Bill 5. I thank you for raising that, Speaker. It's very helpful.

**Mr Dunlop:** Dalton McGuinty's car is the only one that's covered.

**Mr Flaherty:** Dalton McGuinty's car is covered. There we go.

We go back, then, to the bill itself and the commitment. This is important in the sense that people have to be able to operate their cars in Ontario. We've had a problem in recent years—and it's been a growing problem—with uninsured drivers for various reasons driving their cars on provincial highways and streets without buying automobile insurance. This costs all of us substantially, because when an uninsured driver gets involved in an accident and causes harm to himself, herself or others, we bear the cost of that no-fault compensation in Ontario. So we have to be mindful that the insurance product, the insurance policies are affordable to people across the province, to drive down the incidence of uninsured drivers operating vehicles on our streets. That is an issue that requires the co-operation of law enforcement officials and of the insurance companies, but also, most importantly, making sure that those rates are available at an affordable cost to people across the province.

We were told during the course of the election campaign that there would be a solution brought by the



Liberals, by Premier McGuinty and his crew, on many issues—231, actually, if you get a chance to have a look at Lorrie Goldstein's article in the *Toronto Sun*. But the specific one that we're debating tonight, which is important to the people of Whitby-Ajax and people across the province, was that there would be a reduction in the amount of automobile insurance premiums. We come here, then, to the Legislature commencing last week and the Minister of Finance comes forward with Bill 5. We looked in vain in Bill 5 for a reduction in insurance premiums for motor vehicles in Ontario. Worse than that, we see in the bill that those possible reductions in premiums that would have resulted with some companies filing as of September 30, 2003, won't happen, because the superintendent of insurance is prohibited from approving those applications that are already sitting on the superintendent's desk in Toronto. That's a waste of premium reductions for people that are available now in Ontario. Then, we see the failure of the bill to address what is an important issue for small business, and particularly for people doing border transit in commercial vehicles in Ontario, the whole issue of commercial vehicle insurance and coverage for our businesses, particularly our small businesses doing cross-border work.

These are glaring gaps in the bill. Then if one takes out all of that, they say, "OK, at least there'll be a freeze"—the bill says that it's a freeze; it says right on the front of it, "An Act to temporarily freeze automobile insurance rates." No, there won't be, unfortunately, because the superintendent of insurance can approve, through this huge loophole—

**Interjection:** Truck-sized.

**Mr Flaherty:** A truck-sized loophole, that's right. The superintendent can approve rate increases on the application of an insurance company where it's reasonable to do that in the public interest and with a couple of other very broadly worded, permissive sections. What's left? It doesn't apply to trucks; it doesn't apply to school buses; it doesn't apply to commercial vehicles; it doesn't freeze rates, because the superintendent can allow gaps; and it doesn't reduce premiums. We're left, then, with 10 or so pages of proposed amendments to bills that will provide nothing for automobile insured people in the province of Ontario.

**The Acting Speaker:** It is now time for questions and comments.

**Mr Kormos:** I listened to all of that, and I'm grateful to the member for leading us through the Supreme Court of Canada decision, on the trilogy and dispelling some of the myths that have been relied upon, but when we're talking about auto insurance, it's really all about folks like Marjorie Hannah down in Welland. Just this morning I got a note from Ms Hannah, whom I've known for a long, long time. Ms Hannah is a mature, hard-working woman, a frugal woman, a conscientious woman, a cautious woman. She had insured her 2002 Chevy Cavalier—that's not exactly a Lexus; Chevy Cavalier is a modest car; she paid some \$17,000 for it—with Dominion of Canada. I was quite surprised, because Dominion

of Canada has something of a reputation as being one of the not more generous, but more stable insurers.

What happened was an ambulance was trying to rush up the road, so Ms Hannah manoeuvred out of the way of the ambulance, and in the course of doing that there was a collision with another vehicle. The police investigated it and no charges were laid. Ms Hannah wrote to me today: "I just got my 2004 insurance bill for \$4,616.71."

This is a woman on a pension, driving a modest car. No charges were laid after a thorough police investigation. Dominion of Canada ripped her off. George Cooke, you should be ashamed of yourself. I thought you were better than that. And this bill does nothing for Marjorie Hannah or other victims of a private, for-profit auto insurance industry that has short arms and deep pockets and that is committing highway robbery at an unprecedented rate.

**2100**

**Mr Delaney:** We thank the member for Whitby-Ajax for his many-faceted discourse, suggesting that the government of Ontario perpetuate the unsustainable, ponder the unthinkable and attempt the unworkable. We note that the member's critique of a thorough, thoughtful, timely response to a serious and festering issue threatening Ontario's working families and Ontario's small businesses consisted of references to old-time politics, cynicism and a tired old mantra that Ontario's working families rejected on October 2, 2003.

Our government listened to the people of Ontario. We picked up the telephone; we answered our e-mail; we pinpointed the issues; we rolled up our sleeves; we got something done. Today, Ontario's motorists know that their government is acting on their behalf. The bleeding has stopped. The light has begun to shine in the insurance industry's dark corners. The people of Ontario are watching, paying attention, and they can see a government looking out for their best interests.

Bill 5 is the first step in the rebuilding of a fair, affordable and equitable market for consumers and a competitive and viable market for insurance carriers.

*Interjections.*

**The Acting Speaker (Mr Frank Klees):** Stop the clock. The member has obviously spent many hours writing this. I think the least we can do is to listen to every word. Please proceed.

**Mr Delaney:** Thank you, Speaker.

Bill 5 is a promise kept on a promise made, and keeping promises made is not only a hallmark of the good government Ontarians can expect, but also a salutary attribute of good, old-fashioned Canadian politics.

**Mr Baird:** I thought it was a thoughtful contribution with respect to auto insurance law in the province of Ontario. The speaker is indeed a good friend of mine and he knows that I'm always going to be supportive of a great man like him when he's speaking to issues with respect to auto insurance.

This man in fact actually wrote the book on auto insurance—Ontario Insurance Commission: Law and

Practice, by James M. Flaherty, the same who graduated from Princeton. You can order the book from Canada Law Book, and that's why we're pleased to have him as a front-bench critic.

**Mr Kormos:** How much is that book worth?

**Mr Baird:** I suspect the member would get a discount.

**Mr Kormos:** I bet that book is at least 250 bucks.

**Mr Baird:** And well worth every cent.

The real disgrace—and this is in all seriousness—is that there used to be a time in this Parliament that, when a bill was being discussed, you'd have the minister or the parliamentary assistant in this place to listen and to learn. The Minister of Finance, whose name is affixed to the front of this bill, is not in this chamber and should be—or his parliamentary assistant.

**The Acting Speaker:** The member knows full well that it's inappropriate to make reference to the fact that the minister is not here. I ask the member to adhere to the rules of this House, please.

**Mr Baird:** What I think is outrageous is that we could be debating a bill and neither the minister nor his parliamentary assistant would be in this place to learn from it. There have been a number of submissions made by the man who wrote the book, and it's a disgrace that the minister or his parliamentary assistant isn't here.

**Mr Prue:** I listened with some considerable intent to the member from Whitby, and one of the things—I think the most important and cogent information that he had to bring forward was the fact that the previous government had attempted to change the rules, whereby people might be able to see some small, little, tiny decrease in the amount of money they were paying for insurance, and those were to have taken effect on October 30 of this year. This bill, coming into effect on October 23, may have—and I'm going to do some research on this, if it's correct—stopped some of those savings being met.

But what he clearly said, and what I have to agree with, and I think what the government must agree with as well, is that in fact this is freezing rates at exorbitant rates that people are paying. We have heard from speakers even within the government that ordinary people, through no fault of their own, are paying up to \$9,000 a year to insure vehicles. Almost every single person in this province who has got an insurance bill this year has seen a huge increase—and it's a huge increase—at the same time that the services they once had are being decreased. The previous government allowed insurance companies to do a number of things that took effect at the beginning of October of this year; at the same time, there was no decrease that came along with it. There have been decreases in the amount of money that is provided to health care providers. There are decreases in the standards upon which people are judged for pain and suffering. There are deduction increases for people, ordinary insurers, and there is an income replacement law that reduces the income that one can get back from four hundred—

**The Acting Speaker:** The member for Whitby-Ajax has two minutes to respond.

**Mr Flaherty:** I appreciate the comments of the members opposite, including the member for Mississauga West, which I did listen to; I didn't understand, but I listened to the speech that he gave about untouchables and other things.

I do hope that the members opposite—I mean this sincerely—when they tackle the issue relating to automobile insurance in Ontario, not only relating to private passenger automobiles but also trucks, buses, school buses and all the rest, work hard on it in caucus and in policy development and with the stakeholders. There are differing points of view, certainly, among the various stakeholders in the province, and it's important that they be not only listened to but reconciled, because there are some points of view that are difficult to reconcile, and that when we do reform the system, which has been the history in the province, the system stays the same for five to 10 years before there are substantial amendments again.

That means that the government, when they are reviewing the issue and bring a bill forward in the House—and since they have a majority, it will likely pass—will be affecting the lives of thousands and thousands of people who will sustain injury in motor vehicle collisions, and you'll be affecting the lives of the millions of people who, by law, are obliged to purchase the automobile insurance product in Ontario, going forward over the next five to 10 years.

So this is a serious issue that affects daily lives in Ontario, and I trust that the members who have listened intently tonight will take into consideration some of the comments that have been made, and if they forget anything, they can look up a lot of it in my book, *Ontario Insurance Commission: Law and Practice*, available from Canada Law Book; no discounts for Liberals.

**The Acting Speaker:** Further debate.

**Ms Di Cocco:** I thank the member for Oak Ridges for relieving me in the chair so I could speak to this very important bill.

I sat and listened with interest for the full hour as the member for Whitby-Ajax spoke at length about some details regarding insurance and insurance rates.

**2110**

Unfortunately, we again have seen that in the fourth quarter of 2002, when the Conservative government was in power, insurance rates increased 9.2%. In the first quarter of 2003 they went up 7.3%. In the second quarter of 2003 they went up 8.5%. In the third quarter of 2003—that's up until just two months ago—another 8.2% increase. So what we saw and what we heard about from our constituents were unfair increases, that whether or not someone had any type of accident or they had great driving records, it didn't matter; insurance rates went up. The question I have of the previous government is, where was the mechanism for consumer protection?

There is a role that government plays. That role is to be an equalizer, if you want, and to protect the consumer when costs skyrocket. I spoke to someone just the other day whose insurance went up 35%, and he had a clean



driving record. So the public has a right to ask: "Where is the government on this? Why is not anyone protecting the consumer?"

I'm pleased to speak to Bill 5, which begins a process, because this is—I agree with the member from Whitby-Ajax—a very complex industry. What we have happening is that we have the parliamentary assistant, Mike Colle, meeting with stakeholders. He's meeting with insurance companies, legal people, consumers, health care providers. He's meeting with all the stakeholders so that, while we have this freeze which we've asked for on October 23 and insurance companies cannot be approved for an increase of rates as of October 23, in the meantime that gives us a chance to take a look at being able to reduce and lower the cost by 10% and pass it on to the consumer. You see, these will be recommendations that are going to be applied by new regulations based on these stakeholder meetings, the stakeholder consultations. Why is that important? It's important because the answer to wrestling this issue down to the ground so that we can protect the consumer is very complex. It's going to be very difficult to do, but we are doing it, and we're doing it the right way.

We have had, certainly since I've been here since 1999—I listened again with great interest when heard the member from Whitby-Ajax consistently talk about cynicism. He was talking about low voter turnout. He was talking about young people being disillusioned. I know there are a number of reasons that I certainly can relate that to, and it is a lot more profound than what we sometimes hear in this House. It's a lot more profound, because in the past we have seen ministers, in the conduct of their ministerial duties, propping up candidates in ridings across this province. It is that type of that conduct, at many times—

**The Acting Speaker:** Order. I happened to observe that when you were in the Speaker's chair, you brought the member for Whitby-Ajax to order and asked him to keep focus on debate on the bill at hand. I'm hearing you drifting, and I know you to be an honourable member. I would not want you to go over the precipice, so would you kindly come back to the bill at hand.

**Ms Di Cocco:** Thank you, Speaker. As I respond to the comments made by the member for Whitby-Ajax in his debate on this bill, in that context I'll bring up that issue.

When we talk about credibility, this bill gives and provides our government's commitment to delivering a major commitment by taking steps to lower auto insurance rates and protecting Ontario's consumers. By meeting that commitment, we will help to raise the credibility of what government is here for. It is here to protect the consumer. It isn't here just for big business; it's here to protect the consumer, as well as trying to provide an environment for business to thrive. You have to have both.

The people of this province obviously made a clear choice on October 2 that they wanted to restore a sense of credibility in this province in meeting commitments with

a responsible and thoughtful approach, instead of a very reactive approach as we have seen over and over again in the past eight years.

We're determined to act responsibly to protect auto insurance consumers by reducing these out-of-control costs and making sure that these cost savings are passed on to consumers as lower premiums. We didn't have that assurance; we saw a government repeatedly sit on its hands whenever consumers were impacted. The consultations that were held for budgets were very selective. They were by invitation only. They weren't open to the general public.

This bill, if it is passed, would freeze insurers' rates at levels approved on or before October 23, 2003, and would prevent further approvals from taking place for 90 days. That is an interim step to say, "OK, you can't raise your rates now. Let's take a look at all this and let's talk. Let's bring it down 10%." That's what this process is about.

This legislation is an important first step. We don't say it's a panacea, an answer to everything; we're saying it's a first step. Unlike the previous government, we don't have the arrogance of suggesting that we have all the answers immediately. I sat where the Conservative opposition is sitting now for four years, and I heard the absolutes from this side of the House at that time when the Conservatives were here. It astounded me that these simplistic approaches to solving problems were what came across all the time. Obviously the public decided, "You know what? We're not buying this any more. We're not buying the simplistic approach." This legislation, I'll repeat it again, is a first step. It isn't the be-all and end-all; it is a first step in the right direction. We know that it's complex. We know that it's going to take time. We're not making assumptions that we have all of the answers all of the time.

These measures will maintain both availability and choice for consumers in obtaining auto insurance. Many times in the past in this House we have seen bills come forward and—let's put it this way—it was, "This is the bill. It's going to get passed. We're going to cut off debate, and let's move on." That was the approach we had, I think, about 90% of the time. We want to speak with our stakeholders. We want to deal with a complex issue such as auto insurance, and we want to deal with it appropriately. That is what this bill is going to do. Again, it's a first step in getting there.

**2120**

I have to say to the people of Ontario, to the people who are listening, that at the very, very least we're attempting to resolve this issue. This legislation is an important step in restoring the confidence of the people of Ontario. Why? Because it's going to bat for them. For a long time in this province, the government of Ontario did not go to bat for the consumer. We have many examples of that: when decisions were made to cut meat inspectors, for instance; when decisions were made to cut water inspectors. Why? Because in the past the consumer, the citizen of this province, was the lowest

priority held by the government. That is why the change on October 2.

I listen with great interest when the members of the opposition appear not to remember that it was just a few short months ago when they were at the helm, and at the time they were at the helm they consistently eroded transparency, the democratic process and intertwined roles, partisan roles and non-partisan roles, in the conduct of their ministerial duties.

I have to say that we also encountered something interesting—it's not interesting actually; I would say it's quite tragic—almost Enron-like accounting as a way of balancing books. You balance books by fudging numbers. You balance books by papering over the reality.

Our insurance bill will ensure that there are going to be absolutely no more rate hikes over this 90 days. But prior to October 23, there have been approvals that were given by the previous government, to renew, for insurance companies to raise rates. There's a possibility that people will get bills over the next few months based on that approval that was given prior to October 23. They may see some insurance rates going up. We're going to do everything we can to make sure we get this right, because it is tremendously complex.

The consumers in this province are saddled with higher insurance rates, many people are saddled with higher assessment rates, and over the last eight years, they've seen their quality of service decline.

I say to the honourable members in opposition that the people of Ontario very clearly understood what our position was on October 2. They knew that we were going to rescind corporate tax cuts. They knew that we were not going to implement the education property tax credit for seniors. We told them categorically that we would not proceed with the private school tax cuts. They knew that, and they made a choice. What I hear from the opposition is that they did not learn anything from that election on October 2.

**Mr Dunlop:** We learned.

**Ms Di Cocco:** No, you maintain that we didn't promise these things that we promised. You're interpreting that as a broken promise when in fact that was a very clear position. The Conservative opposition doesn't seem to understand that the public in Ontario, the citizens of Ontario, have said, "Do you know what? We want our public services back. We want our health care back. We want good public schools. And we want a government that protects the consumer as well providing an environment for competition, for economic growth. We want that." They don't want this simplistic notion of, "If we paper it over, if we give them a good story, a good fairy tale about balancing budgets, they'll believe it, they'll buy it and maybe we can get away with it."

Do you know what happened? You didn't get away with it, because the public is a lot smarter than that. They know when tough decisions have to be made. They understand when there is objective analysis done or when it's partisan. They know when their democracy is at risk because there is such arrogance in the government that

they take a budget and read it outside the Legislature to invited guests and think nobody is watching. They were huge mistakes, and unfortunately one of the problems in this House is that the official opposition doesn't seem to want to admit that there were very serious mistakes. They maintain the same type of language, they maintain the same type of direction when the people of Ontario categorically rejected it on October 2.

We are here to learn from that. We are the people's representatives, and the people of Ontario have told us that they did not want that style of government any more. The people of Ontario wanted a progressive and prosperous future that added a quality of life, and I would suggest that they wanted somebody to be straight with them. They wanted a government to be straight with them and to stop the spin-doctoring that had gone around over the last eight years. The people of Ontario wanted a government that is going to enhance our democratic process and they wanted a government that is here to serve the people, not to be served by them. That is why on October 2 they saw a fundamental difference with the Conservative government and decided to elect a majority Liberal Party government in Ontario.

**The Speaker (Hon Alvin Curling):** Questions and comments?

**Mr Dunlop:** It's a pleasure to hear the young lady from Sarnia-Lambton speak on this particular bill.

**Mr Kormos:** It's "the honourable member."

**Mr Dunlop:** The honourable member from Sarnia-Lambton.

I was listening to the last part of your speech, which got way off topic—you got back on to the political end of things. I guess what was really amazing to listen to among your concerns were some of the things you brought out. You're right: People wanted a change and they chose change. You got around 45% of support in the province and we got about 36%. And you talked about all kinds of exciting things. You were going to do things like democratic renewal. Well, we've seen how you treated the NDP. If you think it's going well out there, I suggest you talk to people in your riding about how the NDP has been treated. I tell you it's not going over very well in Simcoe county. They don't like the NDP, but they respect the NDP.

**2130**

Second, we're going to watch very carefully over the next 18 months to two years and see how many jobs are created under a Liberal government in Ontario. That is something that will be really exciting. In the last eight years there have been over a million jobs created under Mike Harris and Ernie Eves. We'll watch very carefully and compare those numbers.

What's more fascinating than anything is that when Mike Harris and Ernie Eves made a commitment, they kept their promises. When the public elected you to govern Ontario, they expected promises to be kept, and they haven't been kept—many, many promises already. I think you're losing a lot of respect in the first two months of this Parliament.



We'll watch very carefully with the polling etc. I doubt very much if you've gone up. I wouldn't doubt, if you did a clear poll right now, that you're down about seven or eight points from where you were on October 2.

Mr Speaker, thanks for the opportunity of saying this tonight. That was a great Christmas party.

**Mr Kormos:** I'm here in this NDP, New Democratic Party, caucus with my caucus mate Michael Prue, the member from Beaches-East York. There are just the two of us. All our other caucus colleagues have gone off to other events, so we can't really do very much any more tonight. I guess that's a clear signal to Liberal members that they might as well go home and just keep a skeleton crew here to maintain a quorum. I wish we had five New Democrats here to hold these people's feet to the fire, but our members are just busy out there in the field. Once again, I see Liberals getting up and leaving. They know it's their responsibility to keep but 12 people here. I'm sorry, I hope I haven't disappointed any of the folks at home who expected antics from the NDP this evening.

I heard the member say it's a first step in getting there. The problem is she didn't tell us where they are going. The problem is she doesn't know where they're going. Getting where? The idea is to provide fair, affordable auto insurance: fair to drivers; affordable—implicit in fair; and fair to innocent accident victims. What you guys have done is crawl into bed with the private, for-profit automobile insurance industry—like I told you before, this is no queen-size bed, this is a king-size bed, because there's room for the Tories on one side and the Liberals on the other. It is the ménage à trois, that unholy trinity I talked about just a few minutes ago. The problem is that at the end of the day, who gets screwed? It's the drivers and the innocent accident victims. They're the ones getting the shaft.

You guys haven't done anything about the affordability of auto insurance. Your bill doesn't achieve that. Your bill is but a little bit of window dressing to buy a little bit of time. It's so reminiscent of a frantic David Peterson saying, "I've got a very specific plan to reduce auto insurance premiums," which, just like your agenda, will produce higher premiums, a crisis in availability and more people in Facility Association. Shame on the Liberals.

**Mr Agostino:** I'm certainly pleased to have a quick two-minuter on the excellent comments made by my colleague from Sarnia-Lambton.

I believe the junior member from Nepean is the next speaker. As he launches his leadership bid, maybe tonight he can explain to us why in eight years your government failed to clean up this mess. You had eight and a half years to clean up this mess and you failed.

And then of course, listening to the member for Niagara Centre, you would think they were never in government, that they never had a chance to fix this. Do we remember the Agenda for People? Remember the platform in 1990 that Bob Rae got elected on—public auto insurance? They got elected with a majority government. They brought in the social contract—they were able to

get that through the House—which basically blew away every fundamental belief the NDP had. Every principle the NDP had was washed away by the social contract. But in five years they could not find the courage to bring in public auto insurance. Of course, they ran on that again this time, telling us how wonderful it was going to be. It was like, "Believe us this time. We ran on it last time. We had a majority government, we had five years and we didn't do it. But believe us, we'll do it now."

The reality is that Premier McGuinty and the Liberals are committed to reforming auto insurance. We're committed to protecting drivers in Ontario. We're committed to lower rates. We took the first steps within hours of being sworn in as a government. We're now taking initial steps and we're going to finally fix the mess that five years of NDP government and their commitment didn't do. In eight years the government of the junior member from Nepean couldn't do it. Finally you have a Premier and a government committed to helping drivers. We're not here for the insurance companies; we're here for drivers.

**Mr Baird:** I find it most interesting that the member for Hamilton East would stand in his place. It's almost that he is fearful of the role that New Democrats play. They are not even barely the third party—they've got seven members—and all he does is go after them, which shows that he's perhaps afraid of a challenge on the left.

I did listen with great interest to the speech from the member for Sarnia-Lambton. She talked about how they're doing what they said they would do and keeping their campaign promises. I say to the member for Sarnia that no one believes you. I don't think you could find a single soul—

**Mr Levac:** I do.

**Mr Baird:** —who is not a member of the Liberal Party or a spouse of a member of the Liberal Party who believes that the Liberal Party keeps its promises. Look at the quotes that we read.

The Toronto star, in a big banner headline, "Broken Promises Stalking New Premier." That's out of—

**The Speaker:** Could you make your comments without showing all those placards, or next time I will cut the comments and allow others to speak.

**Mr Baird:** Good advice, Speaker, and I'm going to follow your advice.

The Liberals' official mouthpiece, the Toronto Star, says they don't keep their promises. And I think if you went around the province of Ontario you would find probably 95% or 99% of people believe that Dalton McGuinty and the new Ontario Liberal government don't keep their campaign promises. You would find that people from right across the province would agree that—

*Interjection.*

**Mr Baird:** Well, the member from Windsor-St Clair, almost as unanimous as the election.

They go from 40% to 46% of the vote and they think they have the mandate to break all of their campaign promises. I think the one thing the member should have spoken about was the cynicism that taxpayers have. We

have laws on the statute books—as the junior member for Nepean, Mr Watson, will tell you—that banned door-to-door fraud artists, that say people cannot knock on your door and promise one thing and not deliver. There are specific consumer protections against that that this chamber has adopted, and what is clearly self-evident is that we need to expand these away from just the economic regime of the province to the political regime, and then we would earn a lot of—

**The Speaker:** Thank you. The member from Sarnia-Lambton, you have two minutes to wrap up.

**Ms Di Cocco:** I thank the members from Simcoe North, Hamilton East, Niagara Centre and Nepean-Carleton.

One of the tremendous failures of the Conservative government of the past was that they thought that if they said something long enough, people would believe it when in actual fact it wasn't accurate. That's the approach that failed, because the public is smarter than that. They know we have made commitments. We have been here for one week—five days that we've been in the House—and we have kept many, many promises. We are doing exactly what we were elected to do.

*Interjections.*

**The Speaker:** Order.

**Ms Di Cocco:** Thank you, Speaker. Unfortunately, that type of comment that I consistently hear in the House is obviously a strategy that the Conservative Party wants to use. I have to say that it looks exactly like the Enron-like accounting that we had when we found our \$5.6-billion deficit. Auto insurance needs to be wrestled to the ground. We have to proceed to a point in time where we are reducing rates for customers, and I would say to the opposition that I would listen carefully if I were you to the people of Ontario and not try, as you did during the election campaign, to try to sell them something by repeating it over and over again, because it doesn't sell.

2140

**Mr Baird:** I'm pleased to rise and debate on this piece of legislation. The title is, as the member for Hamilton West used to call it, a bunch of Orwellian doublespeak, "An Act to temporarily freeze automobile insurance rates"—temporarily: wow, is that inspiring. They're going to temporarily freeze. There's bold action in the first few months of the Liberal government.

I want to say to the member for Sarnia-Lambton, who just spoke—she says that obviously this whole label of broken promises in the Liberal government is all the Tory regime—we've even got the Toronto Star in on it with headlines like "Broken Promises Stalking New Premier." This is the first time we've got 99% of the population convinced, buying the Tory spin that this government doesn't keep its promises. Could the member opposite just think for a moment that perhaps they're not keeping their promises? More than any government in recent years, they are a government who either made the promises recklessly, or were negligent in not under-

standing the consequences of such, or were deliberately irresponsible—I can't say the word in this place.

I read the title of this bill: "temporarily freeze automobile insurance rates." The Minister of Finance stood in this place last week, tabled this bill, and in his minister's statement talked about how Dalton McGuinty had travelled to 17 communities and had all the answers. They even had a policy paper on this issue. Certainly when they were on this side of the House they had all the answers. No need to consult; no need to talk; they were ready for action. He went to 17 communities. He had all the answers.

**Ms Monique Smith (Nipissing):** That's consultation.

**Mr Baird:** That's consultation, the member says. Then they come in with this bill, which sends the member for Eglinton-Lawrence on another dog-and-pony show, because they still don't know what they want to do. More consultations. Let's talk about it some more. I say to the member for North Bay, what about keeping your campaign commitments? What about doing what you said you would do?

The one thing they said about the former member for Nipissing is, "I may not like what he does, but he does what he says, and I admire and I respect that." I bet you there isn't a single person in the province of Ontario who says, "I admire Dalton McGuinty and the Ontario Liberal Party for keeping their campaign promises." I don't think there's a single 1% of people out there who think that this government is anything but the most cynical government that breaks their campaign promises or, even worse, had no intention of ever keeping their campaign promises.

I know that if Joe Cordiano were leading a government, if he had continued his lead on Dalton McGuinty at the leadership convention, he would have kept his campaign promises more than Dalton McGuinty has.

We look at this. They said they had all the answers—not that they had all the answers, but that they could move and take action within 90 days. What do we get in this bill? Another dog-and-pony show, another make-work project for a Liberal backbencher, who should have been a cabinet minister in every respect. They're going to send him on a big tour.

*Interjection.*

**Mr Baird:** Yes, when the House is sitting for 16 days. I'll tell you, over the last eight years we sat a lot more often than 16 days. With the former government, in our first year, it was the first time the Legislature sat in every month of the year and the first government in 65 years to increase its share of the popular vote.

You look at 17 communities. They were canvassing wildly and they had all the answers, and now we just have another talking point for this bill. I feel bad for the member for Eglinton-Lawrence. I know it's going to be terribly embarrassing for him to take a trip.

*Interjection.*

**Mr Baird:** He's suffered the indignity of not being put in cabinet; he can handle it.

I look at this bill, and what are they going to do after this dog-and-pony show? They might keep half of their



campaign promises—late. Big deal. A 10% rate cut, after a piece of legislation, when they clearly promised a 20% rate cut. The high bar is 50%. When we were going to school, if the teacher said, “Wow, if you do everything perfectly, you might be able to get 50%.” That would be a unique situation indeed. The sad reality of the debate before us today is that the government has set the bar so low. We wonder how low they will go. It’s 50%. We know that with Bill 5 the goal is 50%.

They bring in this bill where they’re going to adopt half of their campaign promise—maybe—50%, with respect to insurance rates. They’ve identified \$650 million of cost reductions that they’re going to pass on to insurance companies with the hope that they might, on average, reduce them by 50% of what they promised. The previous government had come forward with two announcements, on July 22 and in August, which would have seen premiums go down by 15%; \$1.4 billion in savings were presented to the auto insurance industry, an \$8-billion or \$9-billion industry in Ontario, where they could have acted. And there were three regulations on the desk, ready to go, in place—no problem, done, completed—so that, if they had no introduced Bill 5, automobile motorists in the province would be experiencing rate reductions with the rates that were tabled on September 30. But it’s not to be.

For petty and partisan reasons, this government wants to take credit for a dog-and-pony show that the member for Eglinton-Lawrence will go on, whereas today motorists would have a break if the work done by the auto insurance commissioner, Rob Sampson, had been followed up. There were three regulations ready to go which, on that September 30 filing, would have seen rate reductions be effective today. Rather, we have to wait for this dog-and-pony show to follow up. It’s Orwellian doublespeak.

The other reality with Bill 5 is that it’s illegal to lower auto insurance rates in Ontario—it’s illegal. If an auto insurance company wants to lower rates, it’s against the law. Is that what you people campaigned on: “I want to make it illegal to cut auto insurance premiums”? We got this bill. Of course, because it’s a shell bill, most of the law under this bill will be decided in the backrooms with the insurance industry at the table, not taxpayers, not motorists, not those who might become disadvantaged as the result of an automobile accident. I look at all the members who are not in the executive council. Most of them won’t have a seat at the table to be able to debate this. It will be done behind closed doors. The Legislature is not going to be sitting, so there will be no accountability, and that’s exactly what this government wants.

I looked at the bill, however small it is, and there’s a great section. Do you want to hear the section? Section 6: “An insurer may apply to the superintendent”—a bureaucrat—“for approval to charge rates that exceed the authorized rates....” Big deal. You couldn’t drive a Mack truck through this; you could take a whole Mack truck factory through that clause. Whenever the insurance

industry will cry the blues, they can suck up to this government, they can take them out to lunch, they can give them a campaign contribution and try to curry favour with this government and try to get a rate increase. Will we be consulted, will the Legislature be consulted? No. They just claim poverty, which, as the member for Welland-Thorold has said, they claim quite regularly and frequently. This piece of regulation is nothing because of section 6. There’s no public accountability. There’s no legislative committee that will review this if it’s passed, and I think that’s regrettable.

What we hope to see is that rate reductions would not be made illegal under this bill, and that’s something we’ll be undoubtedly raising. We want to see section 6 either eliminated or tightened up and allowing some public scrutiny of the Legislature. And we want to know what happened to the other 10%. If it was good enough to knock on people’s doors—if an insurance industry company promised you a 20% rate reduction at the door and you bought that contract and they didn’t deliver, you would be the very first people bringing in a new law to make it illegal and to ban the practice, because that type of door-to-door solicitation would be called fraud, that when you lie to people, when you knock on their door it would be called fraud in the insurance industry.

2150

**Mr Delaney:** On a point of order, Mr Speaker: “Fraud” is a judgemental word that the member cannot substantiate.

**The Speaker:** The member has used some words that are unparliamentary. Would you like to withdraw them?

**Mr Baird:** Speaker, I am certainly in your hands and if you would like me to—

**The Speaker:** You have to withdraw them.

**Mr Baird:** I will.

I certainly underline to them that I was talking about if insurance industry practitioners—not a member of this House, not a political party—knocked on people’s doors and promised them a 20% rate decrease, and someone signed a contract, and they didn’t deliver, these folks would be the first people to label that as fraud, as lying.

**Mr Delaney:** On a point of order, Mr Speaker: “Fraud,” “lying.”

**The Speaker:** The member for Nepean-Carleton, you know that you are trying to be creative about this. I would rather you not use those unparliamentary words here. Could you withdraw that, please?

**Mr Baird:** I will withdraw. The standing orders are very clear. You are not allowed to accuse a member—

*Interjections.*

**Mr Baird:** I withdraw. The standing orders are very clear and I will obey all the standing orders.

**The Speaker:** Order. Are you questioning the fact that—

**Mr Baird:** No.

**The Speaker:** OK. Will you proceed.

**Mr Baird:** The standing orders are very clear. I agree with you, Speaker, that you cannot call another member

of this House an unparliamentary word. You must deem them to be honourable.

But what I say is, when there are unscrupulous practices in the private sector, when we had energy retailers allegedly going to doors and being less than honest, being dishonest, those commercial practices—

**The Speaker:** I will warn you one more time. If you insist on doing this, I will then ask you to end your discussion and debate.

*Interjections.*

**Mr Baird:** The members opposite are making some very colourful comments.

So, we are going back to Bill 5 and the 20% rate reduction, which is not in this bill. It's one that was promised. It was one that people said, "You know what, I'm paying too much for auto insurance, and the person who knocked at my door said they're going to cut it by 20%."

*Interjections.*

**Mr Baird:** I just saw them on the TV. This TV commercial said he's not going to raise my taxes. They put out the cigarette in their hand—the senior citizen, perhaps with children that he's sending to an independent school—and they said that the Liberal Party would not raise your taxes. He didn't say, "Please consult my Web site to find out exactly what that means." He said, "I won't raise your taxes." They did. If you smoke, they're raising your taxes.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** Well, we should all stop.

**Mr Baird:** Tell that to the Minister of Finance.

**The Speaker:** Will you direct your debate to the Chair?

**Mr Baird:** I say to the member for Glengarry-Prescott-Russell, he should tell that to the member for Don Valley East, who refused a request from a Conservative staffer not to smoke in the opposition lobby. They're going to ban smoking everywhere, except for the politicians at Queen's Park. When a Conservative staffer by the name of Brian Patterson was concerned about his health and safety, and the health and safety of other Conservatives—they laugh over there—and the health and safety of other employees of the Legislative Assembly, perhaps of the clerks, perhaps of the ushers and the pages and the chief government whip, he said, "No, I'm allowed to smoke here anyway."

**Mr Kormos:** Who was that, John?

**Mr Baird:** It was the member for Don Valley East.

**Mr Kormos:** Was it David Caplan?

**Mr Baird:** David Caplan.

**The Speaker:** Order.

**Mr Baird:** The opposition House leader stood in his place and fought for workers' rights.

That's another example of this Orwellian doublespeak: "We're going to give you a 20% rate reduction, and then we're going to talk about maybe 10% after Christmas, when the House isn't sitting. We're going to do it behind closed doors when you can't see it." That's disgraceful. They look at you on TV and say, "I won't raise your

taxes"—unless you smoke. Is he going to put that money for increased taxes toward cancer care? Is he going to put it toward cancer treatment? Is he going to put it toward health care services? No. It's going to go in the general pot. Frankly, I don't think people would mind—

*Interjection.*

**Mr Baird:** There's no increase in health care with that money, my friend, none at all.

I think my constituents in Nepean-Carleton may say, "Do you know what? If you're going to take an extra few hundred million dollars from me for cigarettes, as long as it's a cancer user fee, no problem." Many people in my riding would say that. But they're not. Are they going to take any money, as the member from Brant-Haldimand said, and put it toward helping tobacco farmers? No, because we have such a weak Minister of Agriculture who couldn't deliver for farmers in this province, and that's regrettable.

This is a pattern where people are promised one thing and get another thing entirely. That's terrible, and I hope it doesn't continue.

This is, as the member for Sarnia said, a Conservative-Toronto Star plot. We are in cahoots. The Conservative Party is in cahoots with the Toronto Star on this issue, and Richard Brennan and all the editorial staff—

*Interjection: Benzie.*

**Mr Baird:** —Benzie—we're all in cahoots with the Toronto Star on this issue.

In this Bill 5, we not only understand the difference between lowering and freezing—lowering is what they promised during the election; freezing is what happens after the election, but it's not what they said they would do. What do people say when people say one thing and do another? They call them politicians.

**Mr Kormos:** They call them liars down where I come from.

**Mr Baird:** Really?

This bill prohibits rate reductions, and it's frankly disgraceful. I won't be voting for this bill. I will be voting against this bill. There is a long parliamentary tradition that when a minister tables a bill and it's debated in this House, the minister or the parliamentary assistant participate in the debate and are there to listen. They might learn something during the debate from the folks from Nepean-Carleton. We learned some stuff from the constituents of Welland-Thorold.

*Interjections.*

**Mr Baird:** That would be unparliamentary for me to say. It's unfortunate we're breaking that convention.

I see a range of promises that have been broken. This is small potatoes. This is one of the least. What bothers me isn't so much the promises these folks break; it's the promises they keep. That's what bothers me. It's the promises they keep that concern me.

*Interjection:* You're never happy.

**Mr Baird:** I've always been happy. I say to the members opposite that you can talk to the opposition House leader. We have the best cordial relationship between the parties. I just think the few promises they've broken are



less the problem; it's more the promises they're keeping that are a concern.

I'm going to give you a great quote. I have to confess, I have nominated the speaker of this quote for the Liberal promise-breakers club. As you know, the first Liberal promise-breaker was Dwight Duncan. Dwight, if you're watching this on TV, you are the charter member of the Liberal promise-breakers club. Congratulations, Dwight. You're the best.

The number two member is Greg Sorbara, the finance minister. We gave it to him for three reasons. He won it for three reasons.

**Mr Dunlop:** Greg deserves it.

**Mr Baird:** He deserves it. It was well earned, because he broke a lot of promises.

But because I care about auto insurance, I have nominated—it hasn't been awarded yet, but I can talk about the nominee. If he had actually been awarded the bill, I couldn't speak about it. I've nominated John Gerretsen for the promise-breakers club.

**The Speaker:** Could the member identify members by their ridings and not their names. You have done this about six or seven times, and it seems to be deliberate. So don't do that again.

**Mr Baird:** You are correct, Speaker. I withdraw that. I made a mistake.

I have nominated the member for Kingston and the islands. I have the best quote from the member for Kingston and the islands. Listen to this—Hydrozilla is here?

2200

I say the member for Kingston and the islands has the best quote. He says, talking about our plan to give tax credits and tax cuts: "It goes directly contrary to the whole notion of government and what government should all be about, which is to collect taxes from people."

He actually said it on June 11, 2003. He thinks that is why government is here, to collect taxes. We think government is here to help people.

**The Speaker:** Questions and comments?

**Mr Prue:** I listened intently to the previous speaker. He said one thing over and over again: that this government promised one thing and then we appear to be getting another.

**Mr Kormos:** Lie after lie after lie.

**Mr Prue:** I'm not going to say those words.

I think that not only is it being said in this House, but I'd like to quote a letter from the Ottawa Sun of November 20, just last week.

**Mr Baird:** Dalton's hometown paper.

**Mr Prue:** Yes, the Premier's hometown paper. It's by a gentleman by the name of Brian Holland: "Brian Holland was stunned to open his recent auto insurance bill and see an increase. Like thousands of others, the Ottawa man was expecting his rate to be frozen ... Holland isn't really upset about the size of the increase—about 13%—despite having no tickets or accidents on his record. He's upset it's there at all.... "I'm not saying it doesn't make sense," he said of the government's

rationalization of the increases. "But I feel like I was ... by a Premier."

**Mr Kormos:** Did you say, "lied to"?

**Mr Prue:** No, I didn't say that.

People out there in huge numbers are starting to get their auto insurance—as a matter of fact, I got mine today too. I got it and I phoned up, because I have an increase as well. I phoned up and asked them, "How come I have an increase?" This is dated November 20, when you sent it out to me. This is well after the Premier promised, on October 23, that rates would be frozen. Quite frankly, the response was exactly as one would expect; that is, that the approval was months before that, because they anticipated that this was going to happen. I will tell you they've anticipated a rate freeze too, because there will be increases after the 90 days. They will wait for them.

**Mr Delaney:** We find the comments from the member for Nepean-Carleton most illuminating. We note that he calls the naming of a bill that temporarily freezes auto insurance premium rates to be, and I use his words, "Orwellian doublespeak." From a member whose government so thoroughly disempowered those who rent their accommodation with a piece of legislation called the Tenant Protection Act, an allegation of Orwellian doublespeak does indeed test the limits of the envelope of credibility. The title of Bill 5 accurately reflects the hiatus and the breathing room that regulators, the insurance industry and consumers need to understand and prioritize and address the fundamental needs of Ontario motorists and understand and address the contributing factors to the soaring cost of auto insurance premiums. A bill that lays out a 90-day freeze calls a temporary freeze exactly what it is.

That's straight talk from a government that has taken its commitments to Ontarians seriously. That's straight talk for the young woman from Mississauga West who saw her premiums more than triple for a minor fender-bender. That's straight talk for the young man from Mississauga West who is hoping that costs will come down so he can afford insurance, now that he can finally afford his car. Straight talk, promises kept and good government: This is an issue this government is on the right side of, and we're proud of it.

**Mr Dunlop:** I'd like to congratulate my colleague from Nepean-Carleton for his comments this evening.

I think what's important here is that a lot of citizens of our province, over the next three or four months, are going to be receiving their insurance bills, and certainly there's no question—it's stuck in the minds of the citizens of Ontario—over and over again we heard at all-candidates' meetings, all through the month of September, that Dalton McGuinty was going to lower your insurance rates by 20%. That was something that was mentioned over and over and over. I've got all kinds of quotes from the candidate I ran against. It will be very interesting to see when those bills all come together and we see all those people receive their statements coming in in January, February, March and April. We're just going to simply turn them back over to you. So we're

going to ask your government, we're going to ask Dalton McGuinty—they'll all be copied to his office to see what he's going to do about these large increases.

You think you've got it with this bill; unfortunately, I don't think you have. I think the problem is that it's very shallow; it's not getting to the point. Even if it only goes back 10%, that would be one good sign, but we don't think it will happen at all. It will end up being one more broken promise from the Dalton McGuinty platform. I hope, for the sake of individuals across our province, that doesn't happen, but given the direction that we see everything else happening that's rolling out as far as legislation and the statements we're hearing from the opposite side over here, I believe that people will receive extravagant hydro—well, hydro rates as well as insurance rates, over the next few months. We'll be expecting your government to fulfill their promises on that.

**Mr Kormos:** I'm particularly excited. I mean, I'm turned on. I've got to tell you why: because in but maybe four minutes' time I get to speak to this bill for, mind you, a modest, rather paltry 20 minutes, but I'm going to do my best.

I know. Look, here we are, it's after 10 o'clock, and folks who are watching this have lost the clicker, the little remote control for their TV, undoubtedly. I have no hesitation in suggesting that. Either that or they're mono-channelled televisions. To those people who have lost the little clicker, I say you get up and you flip that little panel and there's a button underneath there where you can turn the channel. You don't need the clicker to do it. You don't need batteries to do it.

Having said that, look, down where I come from, folks haven't seen any freeze. Down where I come from, good drivers are paying more and more. You see, the whole theory about insurance—and you talked, Speaker, when you were speaking as a member, about the first step to getting there, without telling us exactly where this government is going. I'm not sure this government knows where it's going with auto insurance. I mean, a freeze that isn't a freeze—we're going to talk about this section 6, this loophole. This isn't a Mack truck loophole; this is a Boeing 707 loophole. This is a Concorde jet loophole. This is a loophole so big you've got to hire Stephen Hocking to measure the size of it. This is a loophole that whole universes can pass through.

Look, let's not kid ourselves, and I suggested it the other day: Whether the Minister of Finance was sitting on George Cooke's lap while he gave dictation writing this bill or whether it was Mark Yakabuski doing the Edgar Bergen to Greg Sorbara's Charlie McCarthy, one way or another, at the end of the day the insurance industry's going to do just fine by this bill. You're going to screw consumers, drivers, innocent accident victims. Is that what Liberals promised when they ran for election?

**The Acting Speaker (Ms Caroline Di Cocco):** Response?

**Mr Baird:** I want to thank all the members for commenting.

I want to find out someday whether the member from Mississauga actually writes that drivel that he speaks or whether there is a Chrétien retread Liberal assistant in the back who writes it for him.

**Mr Dunlop:** Sounds like a Chrétien retread.

**Mr Baird:** It could be another Chrétien retread.

I told you I've nominated John Gerretsen for the promise-breakers club. We are looking at, because of our Prime Minister, retired—I shouldn't say it, but I will—a lifetime achievement award for the Liberal promise-breakers club, and it couldn't go any better.

*Interjections.*

**Mr Baird:** I'll tell you, I will put Brian Mulroney's integrity and honesty up against Jean Chrétien's any day of the week. Eight years, and you didn't know that, did you?

I read the standing orders, which say very clearly, section 23: "A member shall be brought to order if he charges another member with uttering a deliberate falsehood." Speaker, I'm not going to do that. Others would; they would look at people who say one thing and do another and they would call them a nasty word. They would call them liars. I won't do that, because it would be unparliamentary.

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**The Acting Speaker:** I ask the member to withdraw.

**Mr Baird:** I withdraw. Obviously I'm getting under their skin, because even the Toronto Star is saying, "Broken Promises Stalking New Premier." Even the Toronto Star agrees that this government is so bankrupt of integrity that it can't keep its promises, it can't keep its word. You can count on them 10 times out of 10 not to do that. This isn't the Conservative Party saying that. I dare say to you, Madam Speaker, that 99% of the people of Ontario would accept that premise.

**The Acting Speaker:** Further debate?

**Mr Kormos:** I've only got 20 minutes, but I'm going to do my best to stay on point. I know I'll have your guidance and assistance, and I want you to know that I cherish your support of me when I've got the floor and your interest in me staying on track.

The fact is that this bill has got nothing whatsoever to do with reducing auto insurance premiums. The fact is that the Liberals are making this stuff up as they go along; they're just trying to buy themselves some time. At the end of the day, this bill is literally going to result in higher premiums, a crisis in availability, and an overpopulation of Facility Association. We last saw that when David Peterson and the Liberals introduced no-fault auto insurance in this province as a result of a perverse promise made by then-Premier David Peterson during an election campaign that he, David Peterson, Liberal, had a very specific plan to reduce auto insurance premiums. Well, once that plan unfolded, we saw increased premiums, we saw a crisis in availability, we saw the overpopulation of Facility Association, and we saw the introduction of no-fault auto insurance, which has screwed drivers and innocent victims in the thousands year after year since then.



I'm not going to get involved in these games. I know that people have been throwing around unparliamentary language. I'm not going to stand up here and accuse the Premier of things.

I want to tell you, though, that when I was a kid, my grandmother did a whole lot of raising of me because both my parents worked. I remember one day she leaves a plate of varenyky on the kitchen table. She comes back and the varenyky is gone. She asked me what happened to the varenyky, and I said, "Baba, I have no idea." She said, "Peter, you're lying." I said, "Baba, I really don't know. I promise you, I never ate those varenyky." She said, "Peter, you're lying." I'm just a little kid. You see, what happened was, I didn't tell the truth. She was right; I was lying. I ate the varenyky. I couldn't control myself. You see, when you're a little kid and you don't tell the truth, you're a liar. But when you're a big kid and you become Premier and you don't tell the truth, well, far be it from me to use unparliamentary language. But I tell you this: If Diogenes were to enter the Liberal caucus room, it would be an eternity and he'd still be looking. The oil in the lamp would have been burnt so that there would be no flickering light left. The Diogenic search in the Liberal caucus room would be a feckless one. Why, Diogenes would be one sorely disappointed man were he to travel through the Liberal caucus room or indeed the Liberal benches right here, not to suggest that any of them have done anything—to identify it in such a crude way as common English would be an unparliamentary observation, but, by God, Diogenes, with that lamp, would be an old, old man, and he'd still be looking.

Far be it from me to suggest that anybody lied, but people draw the obvious inferences. You promise one thing; you do another. I know what they call that down where I come from, and they don't call it keeping the truth. To not tell the truth about what you're going to do: I know what they call it down where I come from.

**The Acting Speaker:** I would suggest that we get back on topic. I know you're testing us to the limits here tonight. I would ask that you go back to topic.

**Mr Kormos:** Thank you kindly, Speaker. I told you I value your guidance. And I want to tell you, Speaker, that I understand the role the Speaker has. I understand that's why the Deputy Speakers, Deputy Chairs and so on, earn the big bucks they do, because they have to exercise judgment like you've just exercised. They do it unilaterally. I think the salary for Deputy Speakers, Deputy Chairs and Chair of the committee of the whole House etc., is about \$10,000, \$11,000 or \$12,000 on top of the MPP salary, give or take a couple of cents.

Section 6: We talked about this the day of the introduction of the bill. Take a look at the incredibly low standard that's necessary for an insurance company to persuade the powers that be that they ought to be given yet even greater premium increases, to the mere satisfaction of—not a very high standard again. Down where I come from the folks know what that means. It means the fix is in. It's a done deal. It means a wink is as good as a nod. It means that this bill and the office of this bill,

as I say it—was it George Cooke? I don't know. Was it Mark Yakabuski? I don't know. But it certainly wasn't people who advocate on behalf of consumers.

It's interesting: The Consumers' Association of Canada, British Columbia division, has now become an ardent advocate and enthusiastic supporter of public auto insurance. Liberals in Alberta have embraced public auto insurance. Liberals down on the east coast, in places like New Brunswick and Nova Scotia, have embraced public auto insurance. It's only those three western regimes—Manitoba, Saskatchewan and British Columbia—that have got public, driver-owned, non-profit auto insurance systems that indeed ensure that every vehicle on the road is insured. One of my fears is that we've got anywhere from 10% to, my gosh, even 20% of vehicles on our highways with no insurance coverage whatsoever. Pretty dramatic stuff. Pretty scary stuff. And this government is doing nothing to remedy that.

Quite frankly, as insurance premiums increase and increase and increase, hard-pressed families and drivers in those families are going to feel increasingly compelled to drive without insurance and take the risk—the risk not only of, oh heck, being charged under the provincial statute or paying a huge fine or, I suppose, going to jail if you can't pay the fine, but the risk it poses for innocent victims. It's one thing to say, "Well, the victim is the holder of an auto insurance policy in his or her own right and can access their own." But what about the pedestrian who has no automobile and is struck down by an uninsured driver? What about the bicyclist with no automobile, and therefore no auto insurance policy of their own to access, struck down by an uninsured motor vehicle? This bill does nothing to address affordability. A temporary freeze when rates are already sky-high? Even after the bill was announced on October 23, premium increases continue to be whacked on to drivers across this province.

I talked to you already about this wonderful woman, Marjorie Hannah, who's worked hard all her life—I've known her all of my life down in Welland; a hard-working woman in her senior years, in her retirement now. A 1992 Chevy Cavalier—that's not a Cadillac or a Lincoln Continental; it's a modest compact car. She tells me she paid \$17,000 for it back in 2002. Here's a conscientious, law-abiding, cautious woman who, when an ambulance is screaming up behind her, in an effort to manoeuvre out of that ambulance's way, pulls to the left and has a collision with another car. It's called an accident. That's why she wasn't charged, notwithstanding a thorough police investigation by very competent police officers. It was an accident. And then she gets a notice just a few days ago that her premium has gone to \$4,616 and change—the car is only worth 17 Gs—and that came from Dominion of Canada. I told you already, Dominion of Canada—you know Dominion of Canada; the president of Dominion of Canada is one George Cooke. That's Cooke with an "e." Dominion of Canada, which quite frankly had, until now, one of the better reputations in terms of customer service and customer satisfaction,

rips off Marjorie Hannah to the tune of \$4,600 and change a year.

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Marjorie Hannah wrote to me. She said, "This is remarkable, because I heard some Liberal guys on television saying there was going to be a freeze." Ms Hannah says, "They never froze my premiums." By God, George Cooke and Dominion of Canada ripped her off, picked her pocket and continue to do so with this government as collaborators, this government as allies, this government as co-conspirators.

We were joking the other day about these guys driving the getaway car. The sadness of that joke is that the getaway car doesn't have insurance either, because even they can't afford coverage.

I don't ask Ms Hannah whom she votes for, and I wouldn't expect her to tell me. I'm not sure she voted for the Liberal candidate. I'm not sure, OK? I'm just not sure. But all she knows is, whether she voted for the Liberals or not, she figured she should be capable of believing some of the fundamental things that Liberals promised to get elected. They promised to freeze auto insurance premiums. Ms Hannah says, "Uh-uh, sorry. Mine weren't frozen." Ms Hannah feels like the victim of a robbery.

Some of the other speakers today blame innocent victims for the insurance companies' plight. Look, this is a greedy industry, and it's an industry that is, if you will, the renegade, the uncouth cousin of the financial services sector. The auto insurance industry has always said it has lost money. Gosh, for the 10, 20, 30 years now that I've been on to this matter, the auto insurance industry has been saying it has been losing money. Yet they fight like the devil when there's ever a risk of them losing control over what, I tell you, at the end of the day obviously must be a significantly profitable venture for them.

Then I hear the crap that they spout through their spokespeople when I'm on the talking head shows with them. First they say, "Oh my goodness, we lost money on the stock market." Well, I can't help it if you doughheads bought Nortel at 50 bucks on the way down. You call that prudent? Jeez, give me a break. Then they say, "No, it isn't the stock market losses after all, because after all, we don't invest money in that kind of stock." Oh, hooley. Horsefeathers, as I'm prone to say.

Then they say, "Oh well, it's because of all the fraud being committed by people who aren't really injured." I heard that repeated by a speaker from the Conservative caucus who, you've got to understand, as I recall it, used to act for the insurance companies in these little litigation things, not for innocent accident victims. He wasn't the good guy; he acted for the insurance companies. You know why you do that? You do it for money. You don't do it for principle, when you're acting for auto insurance companies; you do it because they pay you well and because they'll hire lawyers and pay them as much as they have to, to grind innocent victims, as plaintiffs, into the dirt and get them to abandon their claims.

This isn't rocket science, like that guy on the TV cooking show says. How do auto insurance companies make money? By charging the highest possible premiums and paying out the lowest amount of benefits. It's not complicated. You don't need an MBA to figure that out; you don't even have to be very clever. How do auto insurance companies make money? By charging the highest possible premiums and paying out the lowest possible benefits.

Again, I hear, "The for-profit auto insurance industry isn't making any money." Then how come they fight tooth and nail whenever there's even a less-than-realistic threat of there being a movement to develop a public auto insurance scheme? I find that truly remarkable. And why do we have section 6, this black hole of a loophole? It's precisely to accommodate to private sector, for-profit auto insurance industry, because section 6 sets out two conditions when, and I paraphrase, the financial circumstances of the company to the satisfaction of the superintendent result in justification for a request for an increase in premiums and/or public interest. Public interest: What does that mean? When there's a threat or a risk of a crisis in availability. We've already seen two major insurers pull out of the New Brunswick market as a result of a so-called freeze. They said, "Fine, we're going south. We simply won't write policies in this jurisdiction any more." That's what we saw with David Peterson.

The insurance industry won't write policies for those classes of insurers that they don't consider worthwhile for them to insure. They'll either be successful at getting even higher premium increases—and don't forget we're looking at 20%, 30%, 40%, 50% increases, not just one year but two, three and four years in a row. We're talking about people like Ms Hannah being abused by the private, for-profit auto insurance industry. Shame on them. The woman has been driving all her life, paying insurance premiums all of her life, and the Dominion of Canada and George Cooke want to make profits on her back when she's an elderly woman trying to struggle and cope with a pension and driving the most modest of cars. I don't know about you, but I suspect that George Cooke isn't tooling around in a 1992 Chevy Cavalier with fabric upholstery and plastic panels on the doors.

Blaming fraud: Please, where's the evidence? If there were all this fraud, one would expect to see all these prosecutions for fraud. People have told me that constitutes a criminal offence. I haven't seen any evidence of that. The fraud is the fraud being perpetrated on consumers by the auto insurance industry and by their friends in government, by their new allies, by their little puppet regime here at Queen's Park that wants to do the bidding of the private, for-profit auto insurance sector. It says, "You're on your own, guys," to drivers. It says, "Hasta la vista," to innocent victims. It says, "You will be victimized over and over again, first by your auto insurance company and then by a government that is committed to increased profits for the auto insurance industry and reduced benefits for innocent victims."



That's the second shoe that's going to drop. We've already seen part and parcel of it from the Tories, when they reduced benefits packages as a sop to the private, for-profit auto insurance industry. I heard the critic of the day as he travelled the province consulting, as he says, make similar promises, as a matter of fact at a tripartite event we were at in Hamilton just a week or so before the election. This government is no friend of drivers. This government is no friend of innocent victims. This government said anything it had to in order to get elected, and it did. This government is prepared to break any promise it made, knowing full well that it, in its passion to acquire power, was prepared to trample all over drivers and innocent accident victims.

2230

So you see, the Liberals may feel fine bedding down with the private, for-profit auto insurance industry. The Liberals, Mr McGuinty, Fibber McGuinty—

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Madam Speaker: That term has been ruled out of order earlier tonight. I believe it should be withdrawn.

**Mr Kormos:** Withdraw.

**Hon Mr Duncan:** I didn't hear "withdraw."

**Mr Kormos:** Let's go. We've only got 30 minutes; 29 now.

**The Acting Speaker:** I'll just ask you to withdraw.

**Hon Mr Duncan:** On a point of order, Madam Speaker: Again I was unable to hear "withdraw." I think that according to the standing orders, "withdraw" has to be very clear. It has to be expressed. Certainly there was no remorse shown in that "withdraw," given that the rules have been abandoned here wilfully—

**The Acting Speaker:** That is not a point of order.

**Hon Mr Duncan:**—by a member who is exploiting the rules for his own purpose. I would suggest that the term should be properly withdrawn.

**The Acting Speaker:** If I could ask, could 20 seconds be put back on the clock.

**Mr Kormos:** Thank you kindly, Speaker. I appreciate your indulgence of me.

Here we are. I should have let you know that New Democrats aren't going to be supporting the bill. We're going to be voting against it. It'll be interesting to see what happens in committee, if this bill ever gets to committee. Is this bill going to travel the province? Is this part of a democratic reform agenda of consultation? That remains to be seen. We're looking forward to it a whole lot.

**The Acting Speaker:** Questions and comments?

**Mr John Wilkinson (Perth-Middlesex):** I represent the riding of Perth-Middlesex, the home of the Stratford Festival. Though we have a plethora of wonderful actors and actresses, I must admit that if electoral success ever fails the member for Niagara Centre, there will always be a place for you in Stratford. I'll put in a good word for the member.

I think the problem we have, and that we are dealing with as a government, has to do with a lack of regulation.

We've had eight years of a previous government that looked the other way while the insurance industry was able to do what it wanted. There was never a rate increase that was ever denied. The Financial Services Commission of Ontario, the regulatory body, had no place for a consumer—hard to believe.

When I was with the member who is now the Minister of Health, when he was doing his consultations on this issue, I remember that we met a physiotherapist from Kincardine. She told us about the designated assessment centres. She felt there was a problem and she used the example of a patient of hers who had had a shoulder injury. That shoulder injury meant that she needed to have a front-closing bra. She had to go to a designated assessment centre, and it cost \$2,500 for the insurance industry to agree that she would have a front-closing bra. How many front-closing bras can you buy for \$2,500?

No wonder our premiums are going through the roof. That is why this government is going to put an end to those types of practices where consumers are being ripped off. That's why my and I colleagues will be supporting the bill.

**Mr Prue:** It is always a pleasure to listen to my colleague Peter Kormos. Not only is he an excellent actor; he always has this kernel, this germ of truth. He can reach back to his boyhood to tell about how his baba caught him stealing the cookies.

**Mr Kormos:** She called me a liar.

**Mr Prue:** Oh, no, I'm not going to say that word in here.

**Mr Kormos:** I did. I lied to her. That's what happens when you lie, and I lied.

**Mr Prue:** You did; you did.

What he had to say I think we all need to hear again: The insurance companies are really starting to rip people off. It is not just here in Ontario. Elections were fought and lost in Nova Scotia, New Brunswick and Prince Edward Island on this same issue. It is not just fraud. It is an insurance company that cannot or will not make sufficient amounts of money playing by the rules of yesteryear. I don't see anything here about changing those rules. All that is being debated here, sadly, is that you are going to freeze the rates of an industry that has set them exorbitantly high. Even backbench members of the government party are talking about poor, innocent drivers paying \$9,000 a year to ensure their vehicle so that they can go to work in Mississauga West. Even the government members are talking about the impossibility of the poor consumers who are now going to be frozen for 90 days. Just like Pierre Trudeau: Zap, you're frozen. Well, this is the same thing: Zap, you're frozen at \$9,000; zap, you're frozen at a 50% increase you just got in the mail yesterday; zap, you're frozen on a 125% increase that you got last year before you were about to renew.

I will tell you that they are freezing at the higher rates, but they are not helping anything about the benefits. The previous government cut benefits; there's nothing in your legislation or even in your promise to bring those back. You talked, too, about the boogeyman and about the job

loss. The reality is, this is a bloated industry that is out there trying to protect themselves and their own business and their own profits and their own future in making exorbitant monies on the backs of consumers. That's what needs to be dealt with, not a rate freeze.

**Mr Brad Duguid (Scarborough Centre):** I listened carefully to the member from Niagara Centre and his comments, and they were entertaining. However, they were, I think, very much lacking in substance. I think the member was trying to rewrite our campaign commitment. I don't blame him for trying to rewrite history, because when you look at the history of the NDP on this issue, I'd be trying to rewrite history as well.

Our campaign commitment was clear. We said we were going to freeze auto insurance rates with this bill; that's what we're doing. We said we were going to bring down rates by 10%, and this bill is the first step for us to get there. We did say that we would work toward a further 10% decrease, and we will work toward a further 10% decrease. Our commitment was clear, no matter how much the members opposite try to rewrite that commitment.

I think the member for Niagara Centre indicates, like the NDP tend to do on this issue, that they have all the answers, but this is a member who was in a government that in 1990 promised, when they got elected, to bring in public auto insurance rates.

**Hon Mr Duncan:** What did they do?

**Mr Duguid:** What did they do? They reneged. What did their leader do? What did the leader of the third party do when he was in that government? Absolutely nothing to deal with auto insurance rates.

When you look at what they've done as well, the government-funded study that was done at the time said that public auto insurance would cost over \$1 billion to implement. Is that mentioned in the member's speech? No, that was ignored.

I should also mention that the Premier of that government at the time said: "It will cost too much money. It will cost too many jobs."

With 20 seconds left before my time ends here, I want to say one thing that happened in 1990 in my riding. State Farm was about to set up a big office building in Scarborough Centre, right on the 401; the minute that NDP government got elected, the project was killed and we haven't seen an office building there since.

**Mr Dunlop:** I just wanted to say a few words about the comments the member from Niagara Centre made a few moments ago.

I hear some people criticizing the member. I have to admit he's one of the most colourful members in this House. I can tell you one thing: As long as he decides to run in the seat in Niagara Centre, there won't be any Liberal winner. Let's get that straight right off the bat. You all know that. No Liberal could ever win his seat; no Tory could win his seat. That's how colourful he is and that's how well-respected he is in his own community. So I'm just telling you that up front. I have a great deal of respect for him.

2240

There are some comments floating back and forth about what the NDP didn't do. But I can tell you that if they use the same excuses you have used in the last week on this inherited deficit, this joke deficit that this professional auditor brought in, then he has a lot to speak for, because they inherited a \$3.5-billion deficit from you folks. That's straight off the bat. Maybe that's why they didn't get their auto insurance put forward.

*Interjections.*

**Mr Dunlop:** I know you don't like hearing these sorts of comments, but David Peterson left the NDP a deficit, plain and simple. I don't know if they did what has happened in the last week in this House, but we've heard for, I guess it's about five question periods, that the so-called Premier has yet to answer a question. He has yet to answer a question in this House. I just want to make it very clear. Over and over again he's been asked questions and he has yet to answer a question in this House. I think that's really unfortunate. I know that the media is slowly catching on to it, but today, of all the questions that were asked in the House, there were no questions actually answered by Dalton McGuinty.

**The Acting Speaker:** I would ask members to refer to each other by their riding.

In response, the member from Niagara Centre.

**Mr Kormos:** I would ask members to address their comments to the Speaker. That way we'll avoid this sort of exchange on the floor and the lack of decorum and order that flows from it. This is disturbing, and I'm disappointed in the whole gang of you for not showing more regard for this august chamber. The problem is that if these guys want to beat public auto insurance, let's have that debate.

I recall a government in the early 1990s that did some darn good stuff and didn't keep all of its promises. I also recall members of that government who were prepared to stand up and speak out, and who, rather than the sheep-like obedience to their party whip and House leader, said, "Yup, when a promise is broken it is wrong."

I regret that I've seen this Stalinist rewriting and revisionism of history, but the last month as we see Liberals denying what was said on the campaign trail and an attempt to cover their tracks since their election, as we've seen Liberals breaking promise after promise: Oak Ridges moraine, hydro caps, classroom sizes—now we've got the \$4 billion in savings that Mr McGuinty, Fibber, says he's got to find. You know where you've got to go to save \$4 billion the same way the Tories had to go? You've got to go to the big-ticket items. You want to slash billions of bucks? You've got to go to the big-ticket items: health and education.

So long, Mordechai Rozanski, it's been good to know you. We appreciate your comments, but they mean zip to this government. So long, Mr Romanow, it's been good to know you. We know that when we've got to slash \$4 billion, we're not going to be giving more money to health care; we're going to keep taking more money



away from it. We're not going to be giving more to education; we're going to be taking more from it.

These guys are hacking and slashing—

**The Acting Speaker:** The member's time is up. Further debate?

**Mrs Liz Sandals (Guelph-Wellington):** We've heard a lot tonight from the member from Niagara Centre and the junior member from Nepean, who seems to have disappeared, about whether or not our party has kept promises. I think it's worth spending some time looking at whether our Liberal government has kept its promises.

Just today we addressed an issue that has been a big issue in my area of Guelph-Wellington, which is hiring full-time meat inspectors to make sure that we have a safe meat supply. We kept our promise. That has been a big concern in my riding, which has the Ministry of Agriculture and Food headquarters and where there has been a lot of concern about deterioration in the meat inspection system. We kept our promise.

We kept another promise today. We kept our promise to raise the minimum wage. That has been a big issue in my riding as well.

*Interjections.*

**The Acting Speaker:** Will the member take her seat, please.

I ask members on all sides of the House: There's a lot of yelling going back and forth. If there are discussions that you wish to have with one another, I'm sure that you can do that outside this chamber or at least do it a little more discreetly so that we can hear the member from Guelph-Wellington.

**Mrs Sandals:** Thank you, Speaker. In my riding, when we talk about people who cannot find affordable housing, when we talk about people who are struggling, for the most part, it's the working poor. Today we kept our promise to raise the minimum wage; we are going to help the working poor.

We kept our promise to roll back Tory tax cuts; we kept our promise to get rid of corporate tax cuts that are not sustainable in an economy where we find out we have a \$5.6-billion deficit. I don't know where these folks were, but I campaigned on that, and when I campaigned on that, people said, "Yes, we understand that we need to be competitive, but we don't need to do what the Tory government has done. We don't have to keep giving out tax cuts which our province cannot afford."

We're here, and we kept our promise to roll back the private school tax credit. I certainly campaigned on that, and we kept our promise.

We kept our promise to get rid of the education property tax credit for seniors. I campaigned on that promise; we have kept that promise. Everything in our tax bill is a promise made, a promise kept.

We've also talked for years about a public inquiry into the fiasco at Ipperwash. We kept that promise, another campaign promise that our government has kept.

One of the things that we discovered in the midst of the campaign was that the Conservative government had a plan in their wide-eyed scheme to privatize public

services. They planned to privatize the nuclear inspection services of Ontario Power Generation. We found out about that. We said, "We're going to cancel that privatization. We're not going to sell the nuclear inspection services; we're going to keep them in public hands where they'll be safe. I campaigned on that promise; we kept that promise—one more promise kept."

We said—and this was very important to me with my background as a public school trustee—that we would create a ministry devoted to children's services. We campaigned on that and we kept that promise. We are in the process of keeping that promise and setting up a very exciting ministry to take care of the children of our province.

We also said that we would get rid of the supervisors in the Hamilton board, in the Toronto board, in the Ottawa board. Do you know what we did?

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** What did we do?

**Mrs Sandals:** We campaigned on that promise and we kept that promise—another one. Do you know something else we did?

**Mr McMeekin:** Promise-keepers.

**Mrs Sandals:** Promise-keepers.

During the summer, we heard from a lot of people that they were getting insurance renewals, that they were getting insurance bills that were just totally unaffordable. Door after door after door, people would say, "My insurance bill has gone up hundreds, thousands of dollars."

I heard from people who said, "You know, I can't get insurance any more. I've talked to my broker and they said I've been cut off. I can't figure out why I've been cut off. I seem to have a fairly clean record. I haven't had an accident. I can't figure out why I can't get insurance."

In fact, we've heard from so many people that the member from Rosedale was asked to travel the province. He went to 17 cities and he talked to regular consumers, he talked to the man on the street; he talked to some people in the insurance industry, and we said, "Do you know something? When we are elected, we are going to do something to fix that promise." Do you know what we did? We campaigned on that promise and we kept that promise. We have started with the first step in that promise; with the introduction of this bill, we have introduced an insurance freeze.

In fact, we promised that the day that we took office that we would introduce an insurance freeze. We did that. On October 23 the Liberal government was sworn in, and on October 23 the Finance Minister of our new government said to the insurance industry, "We want you to freeze your rates today." And now that we are in the House, we have tabled a bill to freeze insurance rates.

2250

Now, there has been some confusion about that, because people are looking at the bill that they got, if they've gotten a bill this month, since the freeze was introduced. They're looking at the bill they got this november and are comparing it to the bill that they got last November. And you know, they're right. They've

called my office and said, "What's going on, Liz? Why has my bill gone up?" The reason people's bills have gone up is because the Conservative government approved a rate increase. Sometime between last November and October 23, the Conservative government approved a rate increase. But since October 23 of this fall, there have been no more rate increases approved. But that's just the first step. The next step, just as we promised—we said that 90 days after we introduce a freeze, we are going to have a rate reduction, and starting January 23, insurance companies will be required to file a new rate structure. That new rate structure, when it is filed, starting January 23, won't just be frozen, it will have a decrease—a decrease, on average, of 10%.

What are we doing in the interim? We're consulting in two ways. The parliamentary assistant will be speaking to stakeholders from around the province. The parliamentary assistant will be speaking to consumers, to the insurance industry, to brokers, to health care professionals who take care of people who are accident victims, to all the players—consumers and players in the insurance industry and providers of health care. We will be consulting with them and we will be saying, "We need to help you control costs." We understand that if we're going to introduce a 10% rate cut, we have to find ways to cut costs.

That isn't the only consultation that will take place. We will also be sending this bill to committee, I believe. We will have a legislative committee looking at possible—something that often didn't happen with the Conservatives. There were so many bills—I was in on some of them—that went right through this House on a time allocation motion with no consultation with the committee. We will be consulting through the PA traveling the province but also with the legislative committee. We understand that if we're going to put rate cuts in place, we need to think about it carefully and figure out how we can help the insurance industry to help Ontario consumers have a rate cut averaging 10%.

We've heard a lot about everybody else's record tonight. I think we want to look at some other records here. What about the Conservative government's record? Back in 2001, the Insurance Bureau of Canada warned the Conservative government that costs in the system were about to go out of control. Did the Conservative government pay any attention to that warning? No, they didn't. They ignored that warning. And what happened when they ignored that warning? Rates skyrocketed right through the ceiling: fourth quarter of 2002, a 9.2% increase in rates; first quarter of 2003, a 7.3% increase in rates; second quarter of 2003, an 8.5% increase in rates; third quarter of 2003, an 8.2% increase. No wonder we're hearing from frustrated consumers. The rates have gone right through the roof.

The Conservatives will tell you they had this great plan to improve costs. Let me tell you what Mark Yakabuski, the Ontario vice-president of the Insurance Bureau of Canada, said about the Conservative plan. He said the auto insurance measures put in place by the

previous government—that would be the Conservatives—were nowhere near enough to support an average 10% reduction in premiums. That's why we need to consult with people around the province, so we can put in place measures to make sure we can have a 10% cut that works.

**Mr Dunlop:** Blame the Tories for insurance.

**Mrs Sandals:** Actually my friend from Simcoe North has a point. We shouldn't totally blame the Tories for the insurance mess. We need to look at the NDP record, because the NDP are part of this story as well. When the NDP campaigned in 1990, they said they were going to bring in public auto insurance. Then guess what happened when they were elected? They looked at it and said, "No, we're not going to do public insurance." Do you know why Bob Rae said they wouldn't do public auto insurance? He said it was because it would cost too much money and it would cost too many jobs.

Now, Howard Hampton admitted during the campaign we had just had, the 2003 campaign, that implementing public auto insurance would cost 5,000 jobs. He called that a relatively small number of jobs. Well, let me tell you that in my riding, losing 5,000 jobs in the insurance industry makes a big dent. One of the chief employers in my riding is The Co-operators, a Canadian insurance company that doesn't want to flee the country. They don't want to run away. Their headquarters are in my riding. They don't want an unsustainable scheme, because they're an Ontario company, a Canadian company, and they want to stay in Ontario. If the NDP were to get their way, my riding would have an unemployment problem.

I also meet this week with a group representing the mutual insurance companies. There are dozens of little mutual insurance companies in rural areas of this province—local, Ontario, Canadian insurance companies; local employers in small rural communities—and we want those people to be able to stay in business as well.

You know, when I was knocking on doors one night I knocked on a door—it was getting late—and it turned out that the chap was involved in the insurance industry. He said that fraud is a problem. He said, "Do you know I've had situations where I've had videotape of a consumer who was trying to rip off the insurance company." Sometimes that happens. He said, "Do you know that when I took that video evidence to the designated assessment centre, it was rejected. The person's claim was allowed." Who do you think set up the designated assessment centre? The NDP. So my friend from Simcoe North actually has a point. This mess is not entirely the fault of the Conservative government; the NDP government bears some responsibility as well.

If we are going to get this problem under control, if we are going to give the consumers of this province a break and if we are going to maintain our homegrown insurance industry, we need to have a moderate approach.



2300

We are determined that we will get a 10% cut for consumers on average, but we are determined that we are not going to wipe out the insurance industry. We are not going to wipe out 5,000 jobs in Ontario, by Mr Hampton's estimate. Liberals believe that moderation is actually an important thing and that we need to have a balanced approach. We need to make sure we take care of the consumers of Ontario, but at the same time we don't want to bankrupt business. That is why we are going to consult all over the province, speak with the people who are involved—consumers and insurance industry stakeholders—and make sure we come up with a viable plan. But this bill gives us step number one, and step number one is stopping any further increases in the rate structure.

We are implementing a freeze, and if this bill is passed, any insurance company that violates the freeze is subject to prosecution. They in fact could lose their licence to operate in Ontario. We are absolutely determined that our freeze will be effective; we are absolutely determined that we will have an effective insurance control program that delivers to the consumers of Ontario a cut in insurance rates. So we have managed to keep our promises.

**Ms Smith:** Another promise kept.

**Mrs Sandals:** Another promise kept.

We are keeping our promises in the area of creating a Ministry of Children's Services and removing supervisors from school boards.

Another promise that means a great deal to the people of my town, where the University of Guelph is located, is to freeze university tuition. Once again we will be helping the consumer, in this case the student consumer. That's another group that has been affected dramatically by insurance rate increases that my colleagues on either side in the opposition here failed to control.

Students, because they're under 25, get whacked with the biggest increases. We are going to help the students in two ways: We are going to control their tuition fees, and we are also going to control the insurance rates they're charged and make sure that in Ontario we listen to our constituents, we listen to consumers and we make sure we help those constituents who elected us by keeping our promises and delivering to the people of Ontario the election campaign that I campaigned on and that my colleagues campaigned on. We will deliver on our promises to the people of Ontario.

**The Acting Speaker:** Questions and comments?

**Mr Dunlop:** I'm pleased to rise again this evening to make a few comments to the member from Guelph-Wellington. I appreciate what she said tonight, and I'm looking forward to all these kept promises.

My understanding is, from the election campaign, the candidate who ran against me said that after the election they would freeze rates for 70 days, and at the end of 70 days, there would be a 20% decrease in rates. That was said over and over again during my campaign. Now I

understand it's at 10%. I'm not sure exactly what it will be.

I'm looking forward to what happens over the course of winter with your standing committee tour of the province. I hope you're going to extend that throughout the province, maybe spend two or three weeks and have a lot of good input on it. We're back here in March, and we'll see exactly how it turns out. I'd be really interested to look at the insurance rates and how many companies are fined between March 22, when we get back here, and when the House adjourns sometime between June and July. I look forward to those days, and again, I hope it works out for you, because I don't want to see people continue to see these large increases.

We heard a little earlier one of the other members—I think it was the member from Perth-Middlesex—mention that we hadn't done anything in eight years. That's completely false. It's only been in late 2002 and 2003 when we've seen the increases take off, largely. Up until that point, the prices remained very consistent. There was just a slight increase, just above the rate of inflation, for about six years. So this is something that wasn't continually happening over eight years, and you should know that. I can go by my own insurance bills and dig them out if you want.

Anyhow, thank you for your comments.

**The Acting Speaker:** The Chair feels a little neglected. I would ask the members to remember that you address your remarks through the Chair.

**Mr Prue:** I will address my remarks, as always, through the Chair.

I have to commend the previous speaker for at least one thing, and that is for finally stating that this government is going to take this bill to committee and, I hope, travel throughout Ontario, listening particularly not so much to the insurance industry, not to their high-priced lawyers, not to their actuaries, not to the people who are making, I would think, a fairly good living on all that, but speaking to the consumers of this province, the people who are paying bloated bills and who have continued to pay bloated bills for rather shoddy service all these years.

Perhaps while she's doing that, she will discover as well that the bureaucracy of the privatized companies is enormous in this province. Although there are people who earn their living this way, and we are always thankful that people can earn their living, the sad fact of the matter is that because the bureaucracy is so bloated in these privatized companies, in Ontario it costs an average of \$478 to process each claim. In a place like British Columbia, it only costs \$359 when civil servants do it. Perhaps she can learn that as well.

That would take me back to what is happening in all these provinces, because much was said about privatized versus public auto insurance.

In Manitoba this year, costs only went up 7.2%. In British Columbia they went up 7.3%, and in Saskatchewan they went up 9.5%. When you contrast that to Ontario at 29%, perhaps, just maybe, the idea of public

auto insurance is a good idea. Whatever happened in 1991 with Bob Rae, I can only tell you he made a mistake and it needs to be rectified.

**Mr Kuldip Kular (Bramalea-Gore-Malton-Springdale):** As I rise before the House for the first time, I want to thank the residents of my riding of Bramalea-Gore-Malton-Springdale for giving me the privilege to serve them.

Talking about our auto insurance bill, the previous government did almost nothing to address the auto insurance premiums for the past eight years. The auto insurance premiums went up between 20% and 40% under the Progressive Conservative rule.

One of Dalton McGuinty's commitments to the people of Ontario has been to put a halt to the rising cost of auto insurance premiums. As my colleague from Guelph-Wellington has stated, if the bill is passed, we will in this way continue to work toward a long-term solution of lowering premiums for auto insurance. It will improve the protection for the consumer. That's what we promised and that's what we will deliver.

**The Acting Speaker:** The member for Guelph-Wellington has two minutes.

2310

**Mrs Sandals:** Thank you, Mr Speaker, and thank you to the members from Simcoe North, Beaches-East York and Bramalea-Gore-Malton-Springdale for their comments.

The member for Simcoe North speculated about, when we come back in March, how many insurance companies will have been fined. I would hope the number will be zero, because we fully expect that the insurance industry will co-operate with our rate freeze. However, if that is not the case, then we will not hesitate to deal with the situation. But I certainly hope the number will be zero. We always appreciate voluntary compliance rather than forced compliance.

The member for Beaches-East York talked about the cost of processing claims. In fact, the cost of processing claims is one of the items that really concerns us in the this whole business of controlling the cost of auto insurance. One of the big drivers in the cost of processing claims is the cost of the work of designated assessment centres. That is one of the issues that we plan to address: How do we control the costs being driven up by the designated assessment centres which the NDP created during the Rae government? We intend to address the cost of processing claims.

Thank you very much to my colleague from Bramalea-Gore-Malton-Springdale. Congratulations on your first speaking in the House. He is perfectly correct in pointing out that with a 20% to 40% increase in rates over the last few years, it is going to take us a few months to work out a long-term solution. When things are that much of a mess, it takes a while to work it out.

**The Acting Speaker:** Further debate?

**Mr Frank Klees (Oak Ridges):** I'm pleased to join the debate on Bill 5. We've had a lot of discussion over the last few hours on this bill. I'd like to return to a theme

that was touched on by a number of the speakers, and that relates to the issue of what this bill does not do.

I found it interesting that my friend the member for Brant spoke passionately in one of his responses to debate in which he referred to individuals—a family, if I recall correctly—who own a business in his riding, and that because of skyrocketing insurance rates, there's a very real and imminent danger that they will go out of business. The implication, of course, and the debate was that this bill, Bill 5, that's being put forward by the government today will somehow solve that problem.

The reality is, of course, it doesn't do a thing for people in this province who are in business. The title of the bill, if members don't even get past the title of the bill, makes it very clear. For members of the government benches who perhaps haven't had an opportunity yet to familiarize themselves with the legislation, I'd like to read it to them: An Act to temporarily freeze automobile insurance rates—here's the operative word, folks—for private passenger vehicles and to provide for the review and regulation of risk classification systems and automobile insurance rates—again, repeated twice in the title of the bill—for private passenger vehicles.

I don't know about you, but I can tell you that people in this province who own small or medium-sized businesses have serious concerns about how they're going to deal with the mounting car insurance premiums that they have, whether it's for the vans they use in their business or whether it's a fleet of automobiles. These people feel left out. Somehow, this government feels they can actually represent to the people in this province that they have met their obligations under the terms of their promises to reduce, to roll back automobile insurance rates. Somehow they perhaps thought that they could slip this by the people of Ontario and, at the end of the day, get accolades for what they are presenting to us here today. It's simply not going to happen. Not only is this bill not coming across on a promise—again, an election promise made by Mr McGuinty who was campaigning as the leader of the Liberal Party, now the Premier—not only is this again one more broken promise on the part of the Liberal Party, the now new government, but it actually goes beyond that.

The fact of the matter is that not only does this bill not do anything to reduce premiums, but the way it was introduced, the way the bill ignores all of the initiative that was taken previously by our government, and the work that was done by the insurance industry, it actually stops in its tracks the rate reductions that were scheduled to come in effective December 1 for people in this province. I don't know how this government justifies that. They're saying, "No, we'll put the brakes on the work that's been done. Sorry, Mr and Mrs passenger vehicle owner, you will not get your rate reduction, because it was the Conservative government that drove that agenda and that would have delivered that."

So, as a result, we have now a bill that freezes rates in their current state with the increases. As was mentioned a number of times in debate tonight, people are stuck with



those increases, and we're told that perhaps there will be a 10% rate reduction.

The member opposite indicated, "Was it voluntary?" Well, let me tell you what is going to be voluntary here in what you're proposing. Your parliamentary assistant, Mr Colle, is going to travel the province and that's good. He's going to consult with stakeholders and that's good. However, at the end of the day, there is nothing in this bill and we have no assurances from this government that when Mr Colle is done with his consultation there will be any rate reduction.

I found it interesting that the member from Guelph-Wellington made the statement in her debate that they will anticipate that there will be a voluntary co-operation on the part of the insurance industry to save face for Mr McGuinty and for this government, that they will somehow gratuitously co-operate with this process and reduce rates. Ah, but if they don't, I hear from the member, they will be brought into compliance. Well, isn't that interesting?

A new page has been turned in the province, that a private sector company, a private sector industry that bases its rates on actuarial calculations, on actuarial numbers, all of a sudden is going to be coerced by the government of the day to come into compliance. What will be very interesting is to see how that industry then subsequently responds to that. We'll have very interesting results. We'll be watching carefully to see how Mr Colle does over the next number of months as he goes through this process of engaging the insurance industry. I'm sure that he'll bring a great deal of knowledge to that exercise. We'll just have to see.

2320

One area that hasn't been touched on—and I'm surprised that the government hasn't referred to it—is the role of collision repair in the entire rate structure. We hear a great deal from consumers about the problems they face in the collision repair industry: the fact that one rate is quoted for repairs if it's covered by insurance; however, if it's not damage that's going to be paid for by an insurance company, often you get another rate.

Then there's the issue of the different rates that you get, depending on the collision repair facility that you go to for a quote. There is a private member's bill—and I believe, Speaker, you supported that bill when it was before the House in the last session of the Legislature as well—it's called the Collision Repair Standards Act. What that legislation does is address a very important component that contributes to the cost of insurance, and that is collision repair.

There has been, and is no, standard for the collision repair industry in Ontario today. As a result of that, there is a great deal of concern within the industry itself that those standards that should be adhered to by various collision repair shops are not being adhered to.

**Mr McMeekin:** Did that die?

**Mr Klees:** No, it didn't die, actually. That bill was passed unanimously by the House. It passed third reading in this Legislature. It's waiting to be proclaimed. The fact

of the matter is that we were about to proclaim it. I would challenge the current Minister of Consumer and Business Services to look at that legislation, which was not a partisan bill. It was a bill that was passed unanimously in this House, all-party support. I really do believe that that is an area that could have an immediate impact on the cost of insurance in this province.

The proposal we make to you is that we will work with you to implement that. We have a number of stakeholders who are ready, willing and able to come to the table with the government of the day to ensure that the provisions of that bill are implemented. This is not theory. A great deal of work has gone into that. The collision repair industry contributed some two years of time. Consultations were conducted across the province. There was overwhelming support by the repair industry to implement standards for collision repair in this province.

I would trust that rather than going forward with an empty framework—which is what we have in Bill 5—this government would seriously consider putting in place some initiatives that would begin to deal, in a very real and practical way, with this issue.

Speaker, I'd like to read to you from a letter that I received—I think you did as well; I'm sure all members of the Legislature did. It comes from the Insurance Bureau of Canada, addressing the issue of auto insurance. It comes from Mr Mark Yakabuski, who may be known to my colleague Mr John Yakabuski. He spells the name exactly the same, may even be his brother. I want to just take a moment here and read one paragraph of this letter:

"Our proposals"—these are proposals that the Insurance Bureau of Canada has made to the government—"will help control the sharp escalation in rehabilitation health care and lawsuit costs that have been driving premiums up in the past two years. We have designed our ideas to achieve savings in these areas without compromising the benefits available to accident victims."

Mr Yakabuski goes on to speak to the co-operative role that insurance companies are willing to play with the government to ensure that the proper measures are taken to deal with the insurance challenges that we have in this province.

He mentions lawsuits, and this again is an area that I believe we have to address in this province. It's one thing to say that we have the right to sue; it's yet another to ensure that whatever awards are made in the province are reasonable under the circumstances. We all know and have heard of lawsuits that are in the millions of dollars. When you consider that one lawsuit alone can result in a significant impact on the stability, the financial resources, of any one company, all of us as policyholders have to pay for those, and so is it reasonable for limitations to be placed on the kind of lawsuit awards that can be made? I believe and we believe that it is reasonable. Those are issues that this government surely should be giving consideration to as they conduct their research.

In closing, I want to address another issue that relates to the overall insurance issue in our province. We have

come to the point where people have very little trust in the insurance industry and they have very little trust in government. We have calls on the one hand for the entire insurance industry to be replaced by government-owned insurance. On the other hand, we have an insurance industry that quite often doesn't meet the needs of the insured in this province.

The question was asked earlier, what is the role of government here? It's clear that government has a responsibility to set the framework within which the industry conducts its business. There has to be accountability here. There has to be a way to set the framework within which an industry that is providing a public service—one, by the way, that is mandated; it's not something that you or I can choose not to have, and rightfully so. Given the fact that it's mandatory to have insurance, it is also then the responsibility of the same government that puts in place the regulation that makes it mandatory to have insurance in place that the insurance industry is accountable and responsible to its policyholders.

My question to this government as you go forward to do your consulting is, what is your end goal? If in fact it is to reduce premiums, how will you bring the insurance industry into compliance to do that? We will wait to see just how you can keep your promise, Mr McGuinty, to reduce auto insurance premiums by 20% when you do not have the levers to do that. We will watch very carefully to see whether or not one more promise is broken by this government. We believe it will be broken, because there is no way this government will be able to keep its promises to the people of this province based on the commitments they have made.

2330

I leave the recommendation with the minister. I call on the Minister of Consumer and Business Services particularly to become engaged in this debate. Don't just leave it to the Minister of Finance to deal with this issue. The Minister of Consumer and Business Services has, I believe, an important role to play by moving forward and advocating particularly for proclamation and implementation of the Collision Repair Standards Act. That is a practical lever that can have immediate results and effect on the insurance rates in our province.

I know that members opposite will participate in that process as well. We look forward to coming to the aid of this government, which will no doubt, over the next number of months, realize that they have made a commitment to the people of this province that they cannot keep.

We feel very strongly that at the end of the day what is important is that the people realize and see through empty promises. They will do that. The government of the day will be accountable for their track record. When Mr Colle comes back to report to this House, we all will be watching with a great deal of interest how he will ensure delivery on a 10% reduction within 90 days and a further 10% reduction thereafter. A 20% reduction is the promise that has been made to the people of this province; they deserve nothing less.

**The Acting Speaker:** Questions and comments?

**Mr Kormos:** I was struck by one comment in particular, and that's the reference to lawsuits and the millions of dollars and the need for limitations. Let me tell you, my friend, if you are a young university student who is struck down by a drunk driver and left a paraplegic so there is no movement below your neck—you can't even move your own bowels because the muscles don't respond to any nerve signals—are you telling me that that kind of innocent victim of a drunk driver should have to moderate or temper what would be a proper and adequate award by a jury or by a judge? I'm sorry. I think not.

Your colleague Mr Flaherty spoke to this myth about large judgments quite accurately when he talked about the Brampton case, the guy on the motorcycle on the quasi-public road and the lawsuit. The case was dismissed by the appellate courts. The insurance industry was flogging that one, dirty dogs that they are, for not just months but years to rationalize their exorbitant rate increases. The judgment never happened. Please don't get involved in that game of perpetrating the myth of mega-judgments.

First of all, our courts and our awards in this country tend to be very conservative. Secondly, Mr Flaherty, your leader—I'm sorry, your colleague. Mr Eves is the leader. Your fellow candidate for leader—my apologies—lectured you very accurately on the Supreme Court of Canada trilogy and the incredibly low cap that we already have on pain and suffering here in the province of Ontario. The myth of mega-million dollar judgments is precisely that, a myth.

The problem is that both the Conservatives and the Liberals have this perverse, kinky relationship with the auto insurance industry. On the one hand, you want to be their good friends and you want to be intimate with them. On the other hand, you want to be on the side of consumers. But you can't have it both ways. You're either with the consumers or you're with the industry, because the industry certainly isn't with consumers, and if you're with the industry, you're not with consumers.

**Mrs Maria Van Bommel (Lambton-Kent-Middlesex):** In response to the member from Oak Ridges, I want to say to you that we will keep our promises. They are not empty promises.

You mentioned the role of government. Government has the right to regulate insurance companies, and we will under this bill. We will protect consumers. Insurance companies that fail to comply with the bill will be prosecuted, have their licences cancelled or suspended, and even be ordered to refund excess premiums if that's necessary.

Premiums are out of control—there's no question about it—and something needs to be done. Skyrocketing premiums will force some drivers to resort to driving without insurance or with inadequate insurance.

In rural communities, we have mutual insurance companies, something that may not be as well known to you, but they are a vehicle that we use in our com-



munities to provide insurance in a very flexible and unique way, and it is at a non-profit rate. It can be done. Rural residents need their vehicles more than anyone else. We don't have the option of public transit. We need to get work, we need to get to church and we need to get our groceries by using our vehicles. Insurance is very important to us. We can't afford high insurance costs any more than anyone else, so we are very anxious to see this bill pass. I'm speaking in favour of the bill.

**Mr Dunlop:** I'd like to commend my colleague from Oak Ridges for his comments here this evening on this legislation. I listen very carefully when Mr Klees makes a comment. He's been a very successful businessman in his day in the business world and he has a lot to offer in his comments, and I appreciate that. It always worked out well when he was whip of our government and when he was Minister of Tourism and Minister of Transportation. I certainly acknowledge his business background and how bright he was with that.

We keep hearing about these broken promises. There's no question that we, as opposition members, will be looking forward to the rate reduction of 20%. We keep talking about the broken promises, and there's no question that that's what we on this side of the House will look forward to, the 20% rate reductions, on average—and we understand that's on average.

We're also going to be interested in how you handle complaints that come in from constituents and residents of our province whom insurance companies simply will not insure, and that's after absolutely no major types of criminal or traffic violations. I want to see what you will do—that's the key—because you're promising this 20% reduction on average.

**Mr McMeekin:** What would you do?

**Mr Dunlop:** We're the opposition; you're the government. That's what we'll be looking forward to: seeing what you're going to do with this. I can tell right now that's a very soft point. Obviously they've talked about it in caucus and they know that's something they're going to have a problem with.

I appreciate, again, this opportunity to say a few words tonight.

**Mr Prue:** I listened intently again to the member from Oak Ridges. He made one statement that I think needs to be said again and again, and that is that auto insurance is mandatory. If you are a consumer, you must have auto insurance. However, it is not mandatory for the insurance company to insure you. Remember, you have to have it; they don't have to sell it. Ah, there is the crux. There is the problem, because an ordinary consumer is forced to buy a commodity which is not for sale, except at increasingly higher and higher prices. If they fall into any of the categories—having had a speeding ticket, having had a minor fender-bender, having had a problem, having not been able to renew for whatever reason it is, having once written a bad cheque—anything at all that an ordinary consumer could find themselves doing, they cannot get insurance.

The question is, can we ever force someone to sell a commodity they don't want to sell? The answer is no, you cannot force them to sell something they do not want to sell or at which they cannot make a huge profit. There it comes back to the same thing again: what do we do? You challenged the Conservatives what to do. I will tell you, no such problem exists in the three provinces that have public auto insurance because those people are all covered. They're all covered at a fair rate, and there is literally nobody in the Facilities portion.

That's why we have to start looking at that, because with your scheme, if the costs go down 20%, you are going to find insurance companies that will say, "It's not worth my while." That is already happening in Nova Scotia, New Brunswick and Prince Edward Island. It will happen big time in the province of Ontario if you proceed as you are proceeding now.

2340

**The Acting Speaker:** Member from Oak Ridges, two minutes.

**Mr Klees:** I appreciate the comments from my colleagues. To the member from Lambton-Middlesex, I certainly do know what a mutual insurance company is, having had some experience in the industry myself.

Let me tell you that whether it's a mutual company or a stock company, the insurance industry is very simple: It's premiums in, claims out, and if you don't have enough to balance it off, you go back to either the policyholder or, in the case of public insurance, to the taxpayer to subsidize it. It's a simple business. The fact of the matter is, you will have a challenge, folks. Mr Colle is going to have a challenge. You cannot force a private company to sell insurance at a loss. If you do, you're going to do what Mr Prue suggests; that is, ultimately you'll take it over. There has to be a fair and reasonable return on the investment, whether that investment is made by the private sector or by the public sector.

We have a challenge in this province. We hope the government is going to solve it. We're just cautioning you to be careful what path you go down, because at the end of the day this is not art, this is mathematics: premiums in, claims out, and at the end of the day you have to ensure that somebody pays the premium, pays the price for the claims. There are ways and means to deal with this issue. We certainly were well on our way to doing it. There was a price decrease that was scheduled for December 1. This new government, through Bill 5, stopped that in its tracks, so today the people of Ontario do not have a decrease to look forward to; they have a freeze. What's in the future, we don't know. We wish you well. Twenty per cent is the reduction you've promised. Will this be another broken promise—

**The Acting Speaker:** Thank you. Time has expired for the member.

Further debate?

**Mr David Oraziatti (Sault Ste Marie):** I am pleased to rise this evening in support of Bill 5, which freezes automobile insurance rates in effect on October 23, 2003,

and suspends the approval of new applications under the Insurance Act. We're also committed to working to ensure rates are reduced. That's what's going to take place during the 90-day freeze: the development of a plan to further reduce auto insurance rates.

Why are we doing this? We're doing this to keep our promise to Ontarians. The past two governments have allowed these rates to skyrocket. Talk about broken promises: The largest broken promise was the Conservative government's promise to balance the budget. We've been faced with a \$5.6-billion deficit that we're going to have to deal with.

I listened with interest during this debate to comments made by Conservative members and NDP members who continue to live in denial with respect to auto insurance rates. How can you criticize this bill when you've done nothing? You've failed to act. I'm tired of seeing people in my riding and other ridings face ridiculous rates for insurance. Look around here. Which party has acted to deal with auto insurance? Which party has finally stepped up to the plate to deal with auto insurance? I ask the opposition members, where have you been? Where have you been when motorists were facing skyrocketing rates? Let me guess. Was it working hard to control those rates? No. I know where you were. You were sitting on your hands, sleeping at the switch, failing to act in the interests of Ontarians. Well, we're not going to do that. We're going to face the issues that Ontarians face head-on.

I, like many of the other members here, I'm sure, have been getting calls on auto insurance rates. This issue certainly needs to be clarified. If you've received an automobile insurance renewal statement and it has significantly increased—in fact, if it has increased at all—and if it was after we froze rates on October 23, it has increased because the past Conservative government gave your automobile insurance company a rate approval increase prior to October 23.

What are we doing about it? Our government is delivering on another major commitment by taking steps to lower auto insurance rates and protect Ontario consumers. We're determined to act responsibly to protect auto insurance consumers by reducing out-of-control costs and making sure these cost savings are passed on to consumers as lower premiums.

This bill, if passed, would freeze auto insurance rates at levels approved on or before October 23 and would prevent further approvals from taking place for 90 days. Let's be clear to all Ontarians: We need to continue to work very diligently to ensure that we find ways to further reduce auto insurance premiums for the people of this province.

This legislation is an important step in our commitment to give Ontario consumers what they want, which is lower auto insurance rates. These measures will maintain both availability and choice for consumers in obtaining fairly priced auto insurance.

One of our key commitments to Ontario voters was to halt spiralling auto insurance rates. We acted quickly,

after significant years of increases to auto insurance. On October 23, the same day our government was sworn in, Premier McGuinty directed the Minister of Finance to freeze auto insurance rates immediately.

On Wednesday, November 26, our finance minister introduced the Automobile Insurance Rate Stabilization Act, which freezes insurers' private passenger auto rates at levels approved on or before October 23. The bill also ensures that no further approvals can take place for at least 90 days. As my colleague stated, if the bill is passed, approval of applications under the Insurance Act for private passenger vehicles—the rates would be suspended while the bill is in force. Every insurer affected by this freeze would have to reapply to the superintendent of financial services by January 23, 2004. These are good changes for Ontarians. These are the changes Ontarians wanted. These are the promises we campaigned on, and these are the promises we are keeping.

No rates or risk-of-cancellation changes could be implemented without the superintendent's approval. Our priority is consumer protection, unlike the Conservatives and the NDP. Insurers who fail to comply with this bill could be prosecuted or have their licences suspended or cancelled under the Insurance Act and could be ordered to refund premiums charged in excess of authorized rates.

Our legislation gives us the authority to move forward and act on our electoral commitments, which are to reduce auto insurance rates and make those savings affordable and available for consumers. How are we doing this? We're doing this in a number of ways. The parliamentary assistant to the Minister of Finance has been meeting with a number of groups and stakeholders over the past couple of weeks to find the best ways to achieve savings that will bring auto insurance rates down by an average of 10%. The member from Eglinton-Lawrence will be coming forward soon with a number of key recommendations on how those savings will be realized. We will have a solid plan for reducing auto insurance premiums for the people of this province.

We are also looking at other ways to help reduce costs for motorists. For example, our longer-term cost-saving reforms include the creation of customized insurance plans that will allow consumers to save more by allowing them to tailor their insurance coverage to best meet their specific driving needs. In the long run, our cost-saving reforms will result in lower rates, and that's great news for drivers. That's something this government should be proud of. It's something that's long overdue, it's something Ontarians want and it's something we're giving them. In the long run, our cost-saving reforms will result in lower rates. We will continue to work toward a long-term solution to lower rates, cut insurance costs and improve protection. That's what we promised, and that's what we'll be delivering on.

It's pretty clear, when we look at the Conservative record on auto insurance—in the fourth quarter of 2002, motorists experienced an increase of 9.2%; in the first quarter of 2003, another increase. What was the increase to Ontario drivers? It was 7.3% to motorists in this



province in one quarter alone. In the second quarter of 2003, another increase: 8.5% for Ontario motorists. In the third quarter of 2003, an 8.2% increase. When is it going to stop? It's going to stop right now, because we are fulfilling our promise to Ontarians to freeze auto insurance rates and come up with a plan to reduce auto insurance premiums for the people of this province.

The Conservative government was warned by the Insurance Bureau of Canada in 2001 that costs in the auto insurance system were spiralling out of control, but they did nothing. They failed to act. The two former finance ministers hit the snooze button, and auto insurance rates skyrocketed. Despite some cynical pre-election announcements, the Tory government never did deliver lower auto insurance rates for consumers. The first relief for consumers will be our freeze, the October 23 freeze, that will be formalized by this legislation, if passed, by our government.

2350

Well, we know what Mark Yakabuski said, the Ontario vice-president of the Insurance Bureau of Canada: "The auto insurance measures put in place by the previous government were nowhere near enough to support an average 10% reduction in premiums" for Ontario drivers.

How about the NDP? What's their record? We know what their record is. They promised public auto insurance in 1990, and when they were elected they reneged on that crucial promise to Ontarians. In 1991, announcing the broken promise, Premier Bob Rae said, "It will cost too much money, and it will cost too many jobs."

Again, during the past campaign we heard about public auto insurance. The member from Kenora-Rainy River was part of Bob Rae's cabinet at the time and did nothing—the now leader of the third party. A government-funded study at the time said that public auto insurance would cost over \$1 billion to implement, but it was still part of their recent platform. Just tax Ontarians to death. A government-run auto insurance bureaucracy would be larger than the Ministry of Health. We've heard the stats on the Ministry of Health from our good colleague.

The member for Kenora-Rainy River admitted during the 2003 election campaign that implementing public auto insurance would cost 5,000 jobs—a "relatively small" number of jobs. I can tell you that in Sault Ste Marie every job is vital to the economy of our community. I couldn't imagine this province losing 5,000 jobs. How irresponsible could we be?

The NDP's failed reforms in 1994 created the designated assessment centre, an expensive legacy in which injured people have to go through multiple medical assessments without getting the timely treatment that they need. The NDP have no credibility on public auto insurance. If they were so sure it was going to work, they would have implemented it when they were in government.

We're the first government to take this issue seriously. We're the first government to deal with this in a responsible way. I am pleased to support this bill.

### **The Acting Speaker:** Questions and comments?

**Mr Kormos:** Nuts. I was hoping the member was going to speak out as he was doing—he was on a roll. I was hoping he was going to speak out his time and then carry the debate over to the next day, because you see, I can't move adjournment of the House on the two-minute questions and comments. You have to have the floor as part of a rotation. So it's frustrating to be thrust into a two-minute question-and-comment period where I can't move adjournment of the House and I can't move adjournment of the debate. You understand how that causes me some angst, I suppose.

Having said that, I want folks watching this to understand that this is live. The House is sitting; it's five minutes to midnight on Monday. We'll be here again tomorrow night and the night after.

Understanding that, I'm looking forward to the travelling committee that Ms Sandals guaranteed. I think it'll be interesting. I look forward to travelling with that committee and listening to folks from across Ontario, according to this government's new consultative style, as that committee travels about the province. I don't know whether Ms Sandals is going to be able to travel with the committee, but I appreciate her making the commitment on behalf of her government for those committee hearings, because sometimes it's difficult to get that out of—we don't know about this government yet; it was difficult to get it out of the last government. I suspect, on this particular bill, they weren't particularly enthusiastic about travelling, but let's travel. Let's let 'er rip.

The other thing, having said that: You've got Mark Yakabuski dumping a little bit on the Tories but being embraced now by the Liberals. Don't you get it? Yakabuski is saying that even the attack on benefit levels that the Tories were prepared to adopt wasn't enough for the industry to be as profitable as it wants. Yakabuski wants you to really gouge and drive it to innocent victims. You're prepared to do it. Obviously, I think that's a real shame.

**Mr McMeekin:** Can you feel it, that breath of fresh air blowing across the province, exemplified by the wonderful, fine new member from Sault Ste Marie, who spoke so eloquently about just what the angst on this whole issue is?

We've heard the member from Oak Ridges talk about some of the practical difficulties and we've heard some members of the third party talk about some of their legitimate concerns. It seems to me that this whole issue, as complex as it is, is one of trying to balance off the competing interests, trying to come to some sensible, pragmatic approach that is going to serve not only those who pay premiums, but also those who earn their living in the various insurance businesses. Nobody wants to lose 5,000 jobs. I think the member from the Soo highlighted that very well.

I think it's important that we in this House understand when there's some passing reference to the new consultative style. I for one am really pleased that we have a Premier and a government here who are not fearful of

opening things up and listening to consumers and people who have something to contribute. There's an old saying that you can't shake hands with a clenched fist. We're going to open this up. The member for Eglinton and others are going to go out and listen hard to what consumers and people who know the business understand the problems to be. Do you know what? We're going to get on top of this. I think the member from Oak Ridges is going to have to eat his words in four years, when we in fact deliver on our promises.

**Mr Dunlop:** It's great to hear the comments from the new member from Sault Ste Marie. Congratulations on your election victory up there. You beat a good person in the former member from Sault Ste Marie, Tony Martin. He was a very valuable member of this House, although I didn't agree with any of his policies. But he was a valuable member.

I just want to say, in response to some of the comments, I am really looking forward to the hearings on this legislation as well, as we go across the province. Ms Sandals said that earlier, and I'm thinking it would be important that we do that, because when we were in government we were criticized for not getting enough committee time. Now, with this new open concept, this new era of co-operation and democratic renewal etc, I just know that you're going to want to visit every little town and village and city in our province, to make sure you get this right. Because, you know, you're the guys who guaranteed that you're going to have a 20% reduction, on average, in insurance premiums in the province of Ontario. We're looking forward to that. We certainly don't want to see them go any higher. So yes, we're there to help. I offer our caucus's assistance on this particular piece of legislation.

Thank you so much. We look forward to—

**Mr McMeekin:** Together we can do it.

**Mr Dunlop:** Yes, OK.

Anyhow, on his comments, it was particularly the hearings I took to be the most important at this point. I look forward to further debate and further comments, I guess tomorrow, when we go back and do a little more of this.

**Mr Prue:** I listened with great interest to the speaker from Sault Ste Marie. I think it's the first time—I don't know whether it was his maiden speech, but it was certainly the first time I had an opportunity to hear him speak. It's always amazing to me that this government, with 72 members, will spend so much time attacking a little group of us over here, seven people, for an idea whose time has clearly come.

The real issue here is not a price freeze; the real issue here is whether or not this government will ever be able to deal with a 20% decrease in costs, and whether the insurance industry will ever obey what they are hoping it will obey. The reality is, in the other provinces that had their elections before us, they've been trying to do that

and all they have found is that the insurance companies are refusing to insure the people who are marginalized, the people who are in the outer areas, and the whole system across this country is starting to fail. That's why one of your own members—I'd like to quote this. Liberals support public auto insurance. I'd like to quote Hansard of June 4, 2003. The member, who is still the member, from Ancaster-Dundas-Flamborough-Aldershot, said, "I'm with some others in the House who have expressed that if there's no other way to fix it, perhaps we have to do what a lot of us don't want to do, and that's to open our eyes to the possibility that maybe the government has a direct role through public auto insurance." Thank you very much, Mr McMeekin, you have said it right. You are the first one of your caucus to learn what is ultimately going to be the answer. I hope you can spread the good word and I hope the rest can learn from you.

**The Acting Speaker:** The member from Sault Ste Marie has two minutes.

**Mr Oraziatti:** I find it very surprising that the member from Beaches-East York, with much experience and history here, would question us, as he said, beating up on such a small group. I guess it's simply reflective of the significant amount of damage that was done in terms of automobile policy and promises that were heaped on the province during their government's tenure. This government, our government, is committed to real change in the province of Ontario. We have frozen the auto insurance rates. We will bring down the insurance premiums for the people of this province. We're doing something that the past two governments only talked about doing, which was acting responsibly in terms of auto insurance rates for the people of this province. How can the other two parties here criticize this bill which takes the first significant steps to act responsibly in dealing with automobile insurance?

We have statistics here in terms of the rates skyrocketing under your government—your government that simply promised to have public auto insurance. We are taking the first steps as a government to freeze the auto insurance rates, to engage the public in real dialogue, real, meaningful input in terms of how to manage automobile insurance rates and how to bring those rates down so that we are being responsible to the automobile insurance community in this province. This is something that the past two parties only talked about.

So I'm really pleased that our government has put that forward in the platform. We are now acting on that promise. I really can't say enough about the party's commitment over the past week or so to deliver real change to the province of Ontario.

**The Acting Speaker:** It being past 12 of the clock, this House stands adjourned until 1:30 of the clock tomorrow.

*The House adjourned at 0002.*



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# Legislative Assembly of Ontario

First Session, 38<sup>th</sup> Parliament

# Assemblée législative de l'Ontario

Première session, 38<sup>e</sup> législature

## Official Report of Debates (Hansard)

## Journal des débats (Hansard)

Tuesday 2 December 2003

Mardi 2 décembre 2003

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers





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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 2 December 2003

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 2 décembre 2003

*The House met at 1330.*

*Prayers.*

### ESTIMATES

**Hon Gerry Phillips (Chair of the Management Board of Cabinet):** Mr Speaker, I have a message from the Honourable the Lieutenant Governor, signed by his own hand.

**The Speaker (Hon Alvin Curling):** The Lieutenant Governor transmits estimates of certain sums required for the services of the province for the year ending 31 March 2004 and recommends them to the Legislative Assembly.

### MEMBERS' STATEMENTS

#### PROVINCIAL AUDITOR'S REPORT

**Ms Monique Smith (Nipissing):** Last year, the auditor said that the PC government had "questionable competency." At the time, the former Premier was quoted saying, "Judge me on next year's auditor's report." Since his return to politics, Ernie Eves has ducked and dodged allegations of mismanagement. Last year, 355,000 corporations—nearly half the total—owed taxes that were not collected. There was \$662 million spent on consultants and there were 10,000 outstanding warrants. To all of this, Ernie Eves replied, "Judge me on next year's auditor's report."

Well, it's next year.

Today, our court system is experiencing its greatest backlog in 10 years.

At least 14% of Ontario's children have not received vaccinations by age seven. Nicaragua, Albania and Botswana do better.

The former Minister of Enterprise, Opportunity and Innovation spent \$4.3 billion without really knowing where it went.

Finally, 612 waterworks did not submit the necessary samples for E coli and fecal coliform last year—both contaminants that led to the Walkerton tragedy.

The former Premier said, "Judge me on next year's auditor's report." We can now judge. This report is a damning indictment of the previous government. It is also a powerful reminder of why the people of Ontario chose a responsible government for a change.

#### NANTICOKE GENERATING STATION

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** There is some impressive work going on along the shores of Lake Erie at Nanticoke at Ontario Power Generation's coal-fired electricity plant, or, as some people who work there call it, "the pollution scapegoat of Ontario."

Two weeks ago, the Nanticoke environmental committee, which includes OPG, issued its air monitoring report for 2002. The results spoke to the constant, ongoing efforts to meet and surpass environmental benchmarks. Nanticoke's sulphur dioxide and nitrogen dioxide levels were well within provincial objectives. In fact, an OPG Nanticoke spokesperson reported that sulphur dioxide levels have dropped by 60% since 1984, and nitrogen dioxide levels by 50% since 1984.

Recently, \$250 million has been invested between OPG Nanticoke and Lambton to significantly cut nitrous oxide emissions, reducing NO<sub>x</sub> levels by 80% on the units to which they're attached.

I congratulate the workers and management of OPG for investing in and utilizing proven, science-based, new technology to help solve old, long-standing, and emotional pollution concerns.

With news that natural gas reserves are dwindling, the 600 employees at OPG Nanticoke would like a chance to speak to both the environment minister and the energy minister. Ministers, please pay a visit to Nanticoke OPG before you close it in 2007.

#### WATER QUALITY

**Mr John Wilkinson (Perth-Middlesex):** I just received this information. I was saddened and shocked to hear that the previous government has learned nothing from the tragedy at Walkerton. The Provincial Auditor has stated to this province, for all of us to understand, that 612 times last year, we found that waterworks failed to meet the new minimum standards for E coli and fecal coliform.

Did we not learn anything from that tragedy, that the water in this province should be tested? It should always be tested. It should always be clean. I find it shocking to discover that over 6,700 times last year, in the water, there were excesses of what are acceptable limits about what could be in our water.

**Ms Marilyn Churley (Toronto-Danforth):** The question is, what are you going to do about it?



**Mr Wilkinson:** That is why the good people of Ontario voted our government in: to do something about this. I look forward to answering the question next year.

#### LIBERAL CAMPAIGN PROMISES

**Mr Frank Klees (Oak Ridges):** Broken promise after broken promise: Since this government's swearing-in, we have seen nothing but broken promises. They have given us the single largest tax hike in a single day, after Dalton McGuinty looked us all straight in the eye and said, "I will not raise taxes."

#### *Interjections.*

**The Speaker (Hon Alvin Curling):** Would you allow the member to make his statement?

**Mr Klees:** In addition to that, they have hiked everyone's hydro rates in this province, after Dalton McGuinty looked us all in the eye and said, "I will not raise your rates."

They've allowed development on the Oak Ridges moraine, after Dalton McGuinty said, "I will not allow any further development on the Oak Ridges moraine."

Today, the media reports that yet another minister is on the brink of breaking yet another promise. The Minister of Transportation, in a trial balloon, is musing that they may not be able to roll back tolls on the 407 as they promised. In fact, it's a double whammy. They also promised that they would not hire outside consultants, yet this same Minister of Transportation has in fact hired outside lawyers to review the contract that they will find out they cannot break. Two broken promises by one minister in this week.

1340

#### PROVINCIAL AUDITOR'S REPORT

**Ms Caroline Di Cocco (Sarnia-Lambton):** Today the Provincial Auditor's report released a brutal indictment of the Conservatives and their failures. The Provincial Auditor is releasing his report, and it is more proof of why Ontario voters decidedly changed their government.

We are saddened and angered by the Provincial Auditor's report, but we're not surprised. The people of Ontario knew, when they threw out the previous government, that the Conservatives were failing to protect their health, their children and their tax dollars. Not only did the Conservatives gut public services, jeopardize public safety and waste tax dollars on themselves and their friends, but they ran up a \$5.6-billion deficit in the process.

This brutal indictment of the Tory government makes it clearer than ever that they used government as a trough for their wealthy friends instead of managing it to protect the health of our families. The Tories left Ontario with two deficits: a \$5.6-billion fiscal deficit and a massive public safety deficit. Together, they point to the worst-managed government in Ontario history.

The new Ontario government under Premier Dalton McGuinty has and will continue to bring about the much-needed change for the people of Ontario.

#### LIBERAL CAMPAIGN PROMISES

**Mrs Julia Munro (York North):** The Minister of Finance would have us believe that eliminating a tax credit is not a tax hike. This semantic loophole is one the Liberals will use to increase taxes for Ontarians.

They are just beginning this game of semantics. Last week, they announced they would remove the tax credit option for parents who send their children to independent schools. For every one of those parents, money taken from their pockets to government is a tax hike.

To add to this tax is the injustice of making it retroactive, a decision viewed by Paul Hickey, national tax partner with KPMG, as unfortunate for families who would have based their decision on sending their children because of this tax relief. But the Liberals would proudly say it's technically not a tax increase.

As well, the McGuinty government is about to revoke the tax credit for seniors. Seniors are not going to be impressed by the finance minister saying it is not a tax hike. They know when dollars are coming out of their pockets.

Ontarians need to ask themselves, if the government was willing to take money away from senior citizens and school children, who will they be taking money from next?

#### PROVINCIAL AUDITOR'S REPORT

**Mr Brad Duguid (Scarborough Centre):** The Tories like to pretend that they're tough on crime, but the facts beg to differ. Last year, the auditor found them responsible for 10,000 outstanding arrest warrants. They made a habit of releasing sexual offenders without rehabilitation or proper monitoring. This year, the auditor tells us that delays in the court system could let hundreds of criminals off the hook. The auditor first pointed this out back in 1997, and now we see that no progress has been made since then.

The problems are only getting worse. Just look at what else the auditor has told us today: \$60 million in outstanding fines, and there's been no effort made to collect them. Deadbeat parents are getting off scot-free. Contracts are given without tender for millions more than the original deal. The Tories were so busy filling the Eves trough for their friends, they forgot that they were supposed to be running a justice system.

The Tories are soft on crime. They've been loud on crime, they talk about crime, but let's face it: They're soft on crime, and their record proves it.

That's why Ontarians elected a responsible government that's not afraid to work, not afraid to clean up the mess the former government left behind. Ontario needs responsible government for a change. Despite the Tory

\$5.6-billion deficit, despite the Tory-created public safety deficit, this government is going to clean up their mess.

### WATER QUALITY

**Mr Garfield Dunlop (Simcoe North):** I rise in the House today to talk about the protection in my riding of our most precious resource—water. Since 1978, concerns have continued to be raised about a proposed landfill at site 41 in the township of Tiny. Site 41 lies in the middle of a rich agricultural area, just a few feet above two aquifers. Like many of my constituents, I am greatly concerned about the development of site 41 as a landfill. It could result in groundwater contamination.

I understand the Environmental Assessment Board, in 1989, turned down site 41, but the following year the Liberal government of the day reversed this decision by order in council. Because minister's approval was granted on February 2, 1995, when the NDP government was in power, final approval for this site now lies with the ministry staff at the director level. However, on November 14, I was excited to hear Environment Minister Dombrowsky announce the creation of two expert advisory committees on protecting water sources. Just yesterday Minister Dombrowsky stood up in this House and promised legislation, and I quote from Hansard, "to ensure that our water source is protected."

In light of these actions, I fully expect Minister Dombrowsky to place a moratorium on the development of site 41 until the new advisory committees have reported back to government and the new legislation is actually passed. If, and before, it is developed, my constituents and I will accept nothing less than a 100% assurance from the minister and the ministry that there will never be any groundwater contamination at site 41.

### TIME ALLOCATION

**Mr Gilles Bisson (Timmings-James Bay):** It's a banner day for travel agents in the province of Ontario. Can you imagine? The Liberals and the Tories got together and they said, "We don't want to work. We want to go off on an three-month junket on holidays somewhere." So they crawled into a backroom, they negotiated themselves a little deal and they're saying that they're going to pass the mother of all time allocation notions that we've ever seen in this place. And this from a Liberal government and Liberal members who were piled when they were on this side of the House against the then Tory government for passing time allocation notions. It is not only unbelievable; it's quite simply hypocritical on the part of this government to move such time allocation motion.

*Interjections.*

**Mr Bisson:** I withdraw whatever it is, Speaker.

**The Speaker (Hon Alvin Curling):** Order. Did I hear you withdraw?

**Mr Bisson:** Withdrawn, Mr Speaker.

This is the mother of all time allocation motions that we have seen in this House. The Tories and Liberals have snuggled together and what they've agreed to, quite frankly, is premature eradication of debate in this Legislature. I say, shame on the Tories, shame on the Liberals. Liberals campaign like New Democrats, and govern like Tories.

### VISITOR

**Mr Dave Levac (Brant):** We're fortunate to have in the east members' gallery today the former mayor of Brantford, who was the youngest mayor ever elected in Brantford and is the youngest, longest-serving mayor in Canada: Mr Chris Friel. Welcome, Chris.

### PREMIER'S RECORD

**Mr Tim Hudak (Erie-Lincoln):** The Legislature now has sat for five hours of question period, five full question periods, and we're seeing a troubling trend of Premier McGuinty not answering questions directly in the Legislature, particularly direct yes-or-no questions.

For example, just yesterday I asked him a simple question—whether he was going to be raising particular taxes or not. You'd think that Premier McGuinty would be able to answer that question, yes or no, because I remember him very clearly staring into my TV set night after night saying that he would not be raising my constituents' taxes. It's a bit reminiscent of George Bush's commitment, "Read my lips: No new taxes." I think it's a line that you remember for some time.

So you'd think the Premier would say whether he's going to raise the gas tax or not, whether he's going to raise taxes on beer, spirits or wine or not, or raise personal income tax. It's a simple yes-or-no question that was dodged. In fact, in nine paragraphs, 16 sentences and 220 words in response, not a single yes or no, which I think is very troubling. And I would say, folks, protect your pocketbooks, because the real Dalton McGuinty is coming after them.

1350

During the election campaign he promised to do things differently in the Legislature and to fight the cynicism that people feels toward politicians. Well, folks, with broken promises and dodged questions, Premier McGuinty is feeding cynicism at an all-you-can-eat buffet. If you had asked Mike Harris or Ernie Eves, "Are you going to raise taxes," would have been a definitive, "No, I'm not going to raise your taxes." I want to hear from Premier McGuinty that he has no plan to raise taxes.

### ANNUAL REPORT, OFFICE OF THE INTEGRITY COMMISSIONER

**The Speaker (Hon Alvin Curling):** I beg to inform that House that I have laid upon the table the report of the Honourable Coulter Osborne, the Integrity Commissioner for Ontario, responding to the complaint of Caroline



Di Cocco, MPP for Sarnia-Lambton, regarding Mr Ernie Eves, Mr Tony Clement, Mr Jim Flaherty and Mr Brian Coburn.

## ANNUAL REPORT, PROVINCIAL AUDITOR

**The Speaker (Hon Alvin Curling):** I further beg to inform the House that I have laid upon the table the 2003 annual report of the Provincial Auditor.

## BOARD OF INTERNAL ECONOMY

**The Speaker (Hon Alvin Curling):** I further beg to inform the House that I have laid upon the table a copy of the order in council appointing the following members as commissioners of the Board of Internal Economy: the Speaker, who shall be chair; the Honourable Rick Bartolucci, appointed by the Lieutenant Governor in Council from among the members of the executive council; the Honourable David Caplan, appointed by the Lieutenant Governor in Council from among the members of the executive council; the Honourable Dwight Duncan, appointed by the Lieutenant Governor in Council from among the members of the executive council; Monique Smith, MPP, appointed by the caucus of the government; John Baird, MPP, appointed by the caucus of the official opposition; and Gilles Bisson, MPP, appointed by the caucus of the New Democratic Party.

## MOTIONS

### COMMITTEE MEMBERSHIP

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** Government notice of motion 11, that the membership of the standing committees for this Parliament be as follows:

The standing committee on estimates: Mr Arthurs, Mr Chudleigh, Mr Craitor, Ms Di Cocco, Mr Jackson, Mr Kular, Ms Martel, Mr McNeely, Mr Milloy and Mrs Witmer;

The standing committee on finance and economic affairs: Mr Barrett, Mr Colle, Mr Crozier, Mr Hoy, Ms Marsales, Mr Oraziatti, Mr O'Toole, Mr Peterson, Mr Prue and Mr Wilkinson;

The standing committee on general government: Ms Churley, Mr Dhillon, Mr Lalonde, Mr Leal, Mr Ouellette, Mr Parsons, Mr Rinaldi, Mrs Van Bommel, Ms Wynne and Mr Yakubuski;

The standing committee on government agencies: Mr Agostino, Mr Berardinetti, Mr Bisson, Mr Brown, Ms Matthews, Mr Parsons, Mr Qaadri, Ms Scott, Ms Smith and Mr Tascona;

The standing committee on justice and social policy: Mr Brownell, Mr Craitor, Mr Duguid, Mr Flynn, Mr

Gravelle, Mr Klees, Mr Kormos, Mr Patten, Mr Wilson and Ms Wynne;

The standing committee on the Legislative Assembly: Ms Cansfield, Mr Hardeman, Ms Jeffrey, Mr Leal, Mr Marchese, Mr Mauro, Mr Miller, Mr Oraziatti, Mr Racco and Mr Sergio;

The standing committee on public accounts: Ms Broten, Mr Flaherty, Mr Fonseca, Ms Martel, Mr Mauro, Ms Munro, Mrs Sandals, Ms Smith, Mr Sterling and Mr Zimmer;

The standing committee on regulations and private bills: Mr Delaney, Mr Marchese, Mr Martiniuk, Mr McMeekin, Mr McNeely, Mrs Mitchell, Mr Murdoch, Mr Ramal, Mr Ruprecht and Mr Wong.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry?

All those in favour say "aye."

All those opposed say "nay."

Carried.

## COMMITTEE SITTINGS

### SÉANCES DES COMITÉS

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I move government notice of motion number 12: That the following schedule for committee meetings be established for this Parliament:

The standing committee on justice and social policy may meet on Monday and Tuesday afternoons following routine proceedings;

The standing committee on general government may meet on Monday and Wednesday afternoons following routine proceedings;

The standing committee on estimates may meet on Tuesday and Wednesday afternoons following routine proceedings;

The standing committee on government agencies may meet on Wednesday mornings;

The standing committee on regulations and private bills may meet on Wednesday mornings;

The standing committee on finance and economic affairs may meet on Thursday mornings and Thursday afternoons following routine proceedings;

The standing committee on public accounts may meet on Thursday mornings;

The standing committee on the Legislative Assembly may meet on Thursday afternoons following routine proceedings.

**The Speaker (Hon Alvin Curling):** Mr Duncan has moved government motion number 12.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Speaker: I believe this is a debatable motion.

**The Speaker:** This is a debatable motion.

**Mr Kormos:** Therefore, it is incumbent upon the Speaker to call for debate.

**The Speaker:** We'll have the debate. Further debate.

**Mr Kormos:** Thank you kindly, Speaker. I'm pleased to be able to rise to debate this motion. I want to speak to



the role of committees in this Parliament—in fact, the role of committees in all Parliaments.

Indeed, we've got to have a thorough consideration of the fact that committees are the link between the electorate, the public and this Legislature. In fact, one could say, I think quite accurately, that committees are where the real work should be done. However, we've witnessed over the course of a number of years here now at Queen's Park a real erosion of the role of committees, an incredible erosion of the role of committees, an incredible diminishing of the effectiveness of committees. Indeed, over the course of 15 years—and there are members here who've been here longer than I, people like the member from St Catharines, who I know would speak to this motion, if given an opportunity. The member for St Catharines has witnessed the shameful sight of seeing good-meaning members of the public come to committees with briefs in hand given short shrift, making sincere submissions after having done considerable background work and research only to be, oh, dismissed with but a cursory audience at that committee.

That's been a regrettable observation on my part, and when my six colleagues speak to this motion—well, I won't speak for them, but I'm sure they may reinforce that observation as a result of their own anecdotal experiences.

We've seen committees over the course of the last eight, nine years travel less and less, indeed to the point where they almost don't travel unless the government—it was the government of the day from 1995 through to this year that travelled only on those rare occasions when they thought they had an issue in committee that they could spin out there and get positive press.

Today, I see filed in the Orders and Notices paper a time allocation motion that restricts committee work and committee's role with respect to Bill 2, Bill 4 and Bill 5. I was shocked to see the notice of motion that restricted committee consideration of Bill 2 to but two days. That's not just for public participation; that's for clause-by-clause consideration as well. Indeed, on the second day, the committee interrupts its progress at 4 pm because the time allocation motion then requires the committee to suspend its normal business and proceed immediately to votes on clause-by-clause.

1400

**Mr John R. Baird (Nepean-Carleton):** On a point of order, Mr Speaker: I would like to point out that we are debating motion number 12, not another motion tabled by the government House leader. The member opposite is not referring to any subject matter in motion number 12. We believe that it's important to hold the government of the day accountable in question period, and we're looking forward to doing that.

**The Speaker:** The member from Nepean-Carleton made a good point of order. I would caution the member to stick to the topic that he wants to discuss. That's motion number 12.

**Mr Kormos:** I certainly will stick to the topic I was discussing, Speaker. I appreciate your guidance in that regard.

Committees are an incredibly important thing. That's why, to see committees deal with important bills in but two days, including not only public hearings but clause-by-clause, is a devastating thing to witness, whether it's Bill 2, whether it's Bill 4 or Bill 5, with its section 6, which requires, I put to you, considerable and thorough consideration by a committee.

When we see time allocation motions which restrict the participation of committees in the consideration of that business, we then call into question the commitment of the government to its promise during the election that they will require public hearings for all major legislation. The public, they said, should be given the opportunity to comment on any legislation of significance.

The norm has become the exception under the Harris-Eves government. Drastic reforms to education, municipal government and social policy have been forced through the Legislature without public hearings.

Public input is essential to good government. We will ensure that you have the opportunity—

**The Speaker:** Order. I want to ask the member again to stick to the topic about government motion 12. You're on other topics. Could you do that, please?

**Mr Kormos:** Speaker, I understand where you're coming from. Boy, do I understand where you're coming from. I understand real good where you're coming from.

Tell you what: I will speak to motion number 12. I suppose that means I've gotta start at the beginning. Starting at the beginning means dissecting the motion piece by piece and piecemeal. I would have wanted a rather more contextual debate, but I accept the Speaker's ruling. With no disrespect, I interpret the ruling as not wanting me to be contextual, so I'll be specific.

Mr Duncan moves that the standing committee on justice and social policy may meet on Monday and Tuesday afternoons. Let's take a look at what that means. Monday and Tuesday afternoons. I regret having to resort to the minutiae—you understand that, my colleagues, but I'm following the guidance of the Chair. Monday and Tuesday afternoons. Well, what does that mean? I suppose, for members from outside of the community, it means that they'll have to come here on Sunday night to be ready for Monday afternoon.

I'm wondering if an amendment wouldn't be appropriate. I know my staff now, in response to my comments, are preparing an amendment to suggest that, no, it not be Monday and Tuesday afternoons; it be Tuesday and Wednesday afternoons, to accommodate those members of this assembly who have to travel from great distances—Durham area and Etobicoke and Huntsville, who knows where from—Nipissing, that's a good four-hour drive, the way I recall it. Lord knows, in winter weather it could be even longer, and dangerous. The mover of the motion says the committee should sit on Monday and Tuesday afternoons. Well, I beg to differ.

I hope I'm remaining within the confines that the Speaker has placed me in regarding this debate. If I am to speak about the motion, well, I will speak about the motion. I appreciate the incredible patience being dis-



played by everyone here and those folks as time progresses.

I'm looking forward to the amendment. My colleague, the whip, Mr Bisson, member from Timmins-James Bay, is preparing that amendment.

You note, then, that the standing committee on general government is proposed to meet on Monday and Wednesday afternoons following routine proceedings. You see, you've got two Mondays there. You've got Monday afternoon and Monday afternoon but you've got Tuesday afternoon and Wednesday afternoon. I appreciate that there was some consideration of the Tuesday and Wednesday and the avoidance of a conflict, but I'm worried about Monday. Having said, of course, that the justice and social policy committee should sit on Tuesday and Wednesday, I suppose then that if that amendment passes, it will remain acceptable for the standing committee on general government to meet on Monday and Wednesday but for the fact that just as it was for the justice and social policy committee—you understand, my friend from Trinity-Spadina, because you'll be able to follow up with these arguments when your turn comes to speak.

The standing committee on general government on Monday and Wednesday—you see, the problem is that if we move an amendment to change Monday and Tuesday for justice and social policy then we may have to move an amendment, or the House may be compelled to consider an amendment, to the standing committee on general government meeting Monday and Tuesday rather than Monday and Wednesday. But then the Tuesday would be in conflict, so we may just have ourselves a dilemma that can't be resolved.

The standing committee on estimates can meet on Tuesday and Wednesday afternoons following routine proceedings, according to the mover of this motion. I think I understand. I'm looking forward to hearing from government members to explain or justify or rationalize the choice of Tuesday and Wednesday, and again following routine proceedings. Of course we don't want it to precede the commencement of routine proceedings because then people won't be able to fulfill their obligations here.

I am wondering if there has ever been any consideration given to using Fridays. Think about this. The House used to sit on Fridays; it doesn't any more. Fridays clears up a whole day. We could use Fridays for committee hearings. We could start at 9 in the morning—think about it—because what happens, as you well know, is that “following routine proceedings” means at 3:15 or 3:30 or 3:45, sometimes 4. The committee clerks do their best to accommodate people, and people show up at 3:45 when the schedule for routine proceedings doesn't start until 4, and then somebody gets knocked off the agenda. Is that fair? I put to you, no.

*Interjection.*

**Mr Kormos:** My colleague, my seatmate from the ramp here, Mr Ramal from London-Fanshawe, agrees that that's not fair at all. I'm looking forward to his

comments during the debate on this motion, with respect to the fairness of the proposal.

Perhaps the real goal here should be to develop a radical new sitting schedule for committees. Rather than weekdays, Monday through Thursday following routine proceedings, perhaps using Fridays would resolve the problem for all of these. I know New Democrats would be pleased to be here on Fridays. It would give us the full day, from perhaps 8:30 in the morning or 8 am to 4:30 or 5—Mr Bisson is indicating that he wants to speak to this motion too; he'll have his time in due course. There's lots of time.

Perhaps Fridays from 8 am to 4 or 4:30 pm would be acceptable.

I overheard, from the audience here, a comment about, “What about constituencies?” Yes, I appreciate that's a problem. Now, mind you, you're taking a three-month vacation, January through March, which may permit some access to your constituency if the cruise ship docks on the Great Lakes.

**1410**

Saturdays and Sundays can then be used for constituency work. We can have constituency appointments on Saturdays. That would be a good idea. Saturdays would work and fit in with in my proposed schedule, because not everybody has to work on Saturdays, but a whole lot more people don't have to work on Saturdays than don't have to work on Fridays.

I guess what I'm proposing by way of my comments on this motion is that maybe we should adopt a five-day workweek here at Queen's Park and use our weekends—

*Interjections.*

**Mr Kormos:** It's hard to hear you, Speaker.

**The Speaker:** Order.

*Interjections.*

**Mr Kormos:** I'm sorry, Speaker; I wasn't sure whether you had said something. I presume you haven't.

**Ms Marilyn Churley (Toronto-Danforth):** He's got 20 minutes to debate this, you know.

**Mr Kormos:** Yes, I suppose, as Ms Churley-NDP points out, those people who are heckling should know that they can have their turn at the debate once the floor is yielded.

Others have suggested that perhaps they're merely trying to create efficiencies by debating simultaneously—simultaneous debate instead of simultaneous translation—which we've heard often here in the chamber.

Some may say, why do I rise to debate this motion? I want you to understand that I would be loath to do anything contrary to the rules because, after all, the rules are the rules. In the standing orders there are a number of motions which one may not debate; this is not one of them.

Please, Speaker, don't let people suggest that I'm hard-headed about this, because the first motion that the government put—the membership of committees—we didn't feel the need to debate, although we were entitled to debate it. So I don't want to create the impression that we do things just because we can.



**Ms Churley:** I wanted to debate that one, though.

**Mr Kormos:** No, we waived our debate on that.

**Ms Churley:** Why?

**Mr Kormos:** Because we are people of compromise. We are people of consensus.

**Ms Churley:** So what are we debating?

**Mr Kormos:** We're debating notice of motion number 12, the schedule for the committees.

**Ms Churley:** Oh, the Monday through Thursday.

**Mr Kormos:** The Monday through Thursday, and the fact that the committees follow routine proceedings—because sometimes routine proceedings don't end until 4 o'clock. It means you've only got two hours of committee. So you don't have a day of committee; you've got two crummy hours of committee. And then when you have a time allocation intrude, you've got zero hours of committee because the time allocation says the committee has to start voting at 4 o'clock, so you've got no committee. That's pretty weird stuff, and I appreciate that it's troublesome for others as well as for me.

I want to underscore the importance of these committees—all of them—whether it's the standing committee on justice and social policy, the standing committee on general government, the standing committee on estimates, the standing committee on government agencies or indeed a somewhat more, dare I call it, "obscure" committee, the standing committee on regulations and private bills. I don't know if you've ever been a participant in that committee, Speaker.

Just for a moment, to the people who were nominated to that committee by their respective caucuses: That committee is at the bottom of the ladder. That committee is at the very outer limits—

*Interjection.*

**Mr Kormos:** Well, it is. Come on. You go to reg committee as punishment. You go there because either nobody else will or your whip simply doesn't like you as much as you wished your whip did, because it's a painful committee—but not unimportant.

Let's clarify one thing: Not all regs go through the leg and reg committee, which is regrettable, because the leg and reg committee should probably work harder. The leg and reg committee is an opportunity for all three caucuses—the government caucus; the Conservative caucus, the official opposition; and the New Democrats, the third party—to review regulations and to get a handle on them. Because those regulations of course don't occur as a result of debate. They go zip, zoom—like e-mail, sort of—off into the stratosphere and don't cross our desks here, short of reading the Ontario Gazette. When you read the Ontario Gazette, there certainly is no analysis of the reg, or opportunities to pose questions or call for answers, as there is in reg committee, so reg committee cannot be underestimated.

We've got the committee on public accounts. Ms Martel traditionally serves, and she has been stellar. A harder-working committee member one will not encounter—one has not encountered. It is a very hard-

working committee. That's why I have concerns about public accounts meeting on Thursday mornings. I'm worried that perhaps it should meet more frequently. It's a tremendous amount of work. The public accounts committee should meet more frequently—and then this caucus would of course have to consider having a second member on that committee, but the rules don't permit that. So we'd have to seek, of course, a change in the rules. We'd be prepared to discuss that.

I regret and note that I have but 60 seconds of time left to make my comments. I hope I've addressed these matters in a way that's been of some help to members in this House, who at some point are going to be called upon to vote for or against this motion, and for or against the amendments that are going to be put forward.

I say to you, committee work is incredibly important. It's an important part of the democratic process. So are debates, which is why we have to be very careful about ensuring that committees work effectively and meaningfully, just as we have to be committed to making sure that this chamber works effectively and meaningfully, and that we don't truncate or guillotine or time-allocate debate and we don't gag members. It's a course of events that's all too sad to have occurred all too often.

#### VERNON SINGER

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr Speaker: I seek unanimous consent for each party to speak for up to five minutes to pay tribute to a former member whose family are in the members' gallery, and then revert back to this debate.

**The Speaker (Hon Alvin Curling):** Do I have unanimous consent for five minutes to pay respects?

**Mr Howard Hampton (Kenora-Rainy River):** And then revert back to debate?

**Hon Mr Duncan:** Oh, yes.

**The Speaker:** Do I have unanimous consent for us to have a five-minute debate to pay respects, and then we would go back to the debate? Agreed.

**Hon Monte Kwinter (Minister of Community Safety and Correctional Services):** I rise to pay tribute to Vernon Milton Singer. In all the hustle and bustle of the provincial election, many observers of Ontario politics may have missed the passing, on September 20, 2003, of a great former member of this House, Vernon Singer, at the age of 84. He was a giant of a man, both in intellect and in physical stature. He was a lawyer, a former mayor of North York and a Liberal MPP for 18 years before he retired in 1977. He was a graduate of the University of Toronto and Osgoode Hall. During the Second World War, Vernon served in north Europe as an officer with the Royal Canadian Dragoons.

He took his experience into Young Liberal politics, becoming the president of the Young Liberals in 1947.

Vernon deserves a lot of credit for the planning concepts that he laid down in his time on North York



council. A recent column marking his passing noted that it was his foundation that allowed North York to transform the Yonge Street centre of the city into a modern downtown complex.

He was first elected to this place in 1959 and he began his political career in the riding of Downsview. We both had the pleasure of representing its new name, Wilson Heights. We also had a similar pattern: We served for 18 years. I am now serving in my 18th year in the exact same riding.

1420

While here, Vernon was critic for the Attorney General and municipal affairs. He also served as the deputy leader of the Liberal Party and became a Queen's Counsel in 1963. From committees, Vernon was able to make a substantial impact on the reform of Ontario laws, including municipal law, automobile insurance and election laws. Many of his suggestions for fair expropriation, landlord-tenant legislation and compensation for victims of crime were turned into law. For 10 years, Vernon Singer fought for the establishment of a provincial Ombudsman. After 10 years, Bill 86 was enacted, making Vernon's vision a reality.

Vernon acted as counsel for royal commissions and judicial inquiries. In 1965, he organized a task force to assist in the reform of the administration of justice in Ontario. The lawyers and law students and professors and laymen worked together under Vernon's able leadership to produce a submission to the Attorney General that in many parts was turned into law.

As was common at the time, he continued his law practice while a member here. Vernon was an acknowledged and widely sought expert on municipal and planning law. He ran for the leader of the Liberal Party, running against the successful John Wintermeyer. Vernon was considered unbeatable during his time in the Legislature. He won five elections: 1959, 1963, 1967, 1971 and 1975. His decision not to run again in 1977 was dramatic. He decided to retire and, upon his retirement, one of the other parties was able to win that seat for the first time in decades.

Vernon was a tireless worker for the Liberals. His own biography from the legislative library states that, "since 1947, he has participated in every provincial and federal election campaign on behalf of the local Liberal candidates at the party organizational level and as a fundraiser."

It was a sign of the respect he had on all sides of the Legislature that Premier Davis appointed Vernon to the Ontario Municipal Board, where he served with distinction for a record five terms. He is an example of what a private member can accomplish in this place. He was the father of new law, of much-needed reforms and of the Office of the Ombudsman in Ontario.

Ontario is the poorer for the loss of Vernon Singer. I'm sure all members will join me in welcoming his widow Dorothy and his son Eric, who are sitting in the east members' gallery. Thank you.

**Mr Norman W. Sterling (Lanark-Carleton):** My party and I and my leader would like to associate ourselves with the comments of Mr Kwinter. Although I did not know Vern, I came here in 1977 at the time that he retired and heard many stories about him, about his persistence and his great oratory skills in this place. He was one of the members who, when speaking, was closely listened to by all members of the Legislature. I only wish that, over my past 26 years since that time, we had had more like him, because I understand that he was very entertaining to listen to because of his wide breadth of knowledge and his commitment to changing things in the province of Ontario, albeit that he always sat on the opposition benches.

I too believe that all members of the Legislature can accomplish something in this place, regardless of whether they sit in the government benches, the government backbenches or in opposition. I think Mr Singer was a very, very important example for all of us to know that, if we concentrate long enough and hard enough and push hard enough, accomplishments can come to light. So I would like to add our condolences to his family.

I was in the caucus room when Mr Davis came in and told our caucus, I think in 1978, that they were appointing Mr Singer to the OMB. I can only say that, as I recall the reception in the caucus room, there was no question of his capability; they knew that he was well suited for that particular position. The respect that the caucus had for him at that time was evident in the room.

On behalf of the Progressive Conservative Party of Ontario and my leader, I would like to express our condolences to the family and thank them for giving so much of Vern to the province of Ontario, and for all of his contributions. Thank you very much.

**Mr Hampton:** On behalf of New Democrats, I want to offer our condolences to the Singer family. While I was not a member of the Legislature when Vernon Singer was a member here at that time in the early 1970s, when I was a student I used to often come here and do volunteer research for NDP members. So I got to know him in fact through some of the work he did with Jim Renwick, Patrick Lawlor and Roy McMurtry, all of whom were members of this Legislature who were deeply concerned with the issue of law reform. All of them had a passion for law reform in this province and all of them, whether they were a part of the government or part of the opposition, often worked collegially in the cause of law reform in this province.

As pointed out earlier, this is how we got the Ombudsman's office in this province. But this is also how we got, in many respects, the Ontario Law Reform Commission. This is also how we got legal aid in the province of Ontario, through the collective efforts of Vernon Singer, along with many of the members on both government and opposition sides who said that, witnessing the changes that were taking place in the late 1960s and early 1970s everywhere in the world, Ontario's laws needed to change, that Ontario needed to move forward, not only in



terms of reform of our courts, but in the creation of other bodies and agencies that would more fully respond to an Ontario that was becoming much more urbanized, an Ontario that was welcoming literally hundreds of thousands of immigrants in the province each year and an Ontario that was then beginning to see the baby boomers, literally millions of young people who were not so much interested in the customs of what had gone before but were interested in exploring the ideas that would benefit society into the future.

It was interesting to watch in those days some of these people—Vernon Singer, Roy McMurtry, Jim Renwick, Patrick Lawlor and, from time to time, others—quietly get together. And in those days, members of the government and members of the opposition, after debate was over, often went out for dinner. They often spent time together socially. Once in a while, they would even go off on things like fishing trips together. It was quite a different kind of Legislature in those days. That was in fact when much of this work was done. Much of it was done informally. It was done when people agreed to get together and talk about, “How do we best approach this?” That is perhaps where Mr Singer was quite effective. He was eloquent, articulate and tough-minded in terms of his presentations here in the Legislature, but I know that he worked collegially when the session of the Legislature was over or when there was recess for the supper hour.

I think all Ontarians who recognize the work that was done at the Ontario Law Reform Commission, who recognize what Legal Aid Ontario has done, who recognize what the Ombudsman's office has done and who recognize the developments in terms of human rights in this province, owe Vernon Singer a debt. He was truly someone who was committed to public service; he was truly someone who recognized that this was a duty, a responsibility, an obligation; but it's also very clear that he was quite committed to the work that went on here and the work associated with the Legislature.

1430

On behalf of New Democrats who are here, and on behalf of New Democrats who worked collegially with Mr Singer over many years and who were part of those informal meetings and discussions that happened, not just here but away from here, I want to again offer our condolences and to say to members of the Singer family, you should be very proud of the contribution of Vernon Singer. Many people in this province have seen great social benefit, great public benefit, from the unselfish work, from the hours of dedicated service that were on the record and the many more hours that were off the record, which were indeed productive. Our condolences and best wishes.

**The Speaker:** Those words of condolence and tribute are just a reflection of the deep respect that we hold for our great former colleague. I also convey my condolences and pay tribute to this wonderful member. We will send copies of Hansard to the family. Thank you.

## MOTIONS (continued)

### COMMITTEE SITTINGS SÉANCES DES COMITÉS

**The Speaker (Hon Alvin Curling):** Further debate. The member from Toronto-Danforth.

**Ms Marilyn Churley (Toronto-Danforth):** Thank you, Mr Speaker. It used to be called Broadview-Greenwood, and before that, Riverdale. So I can understand why it takes a while to remember what the riding is called.

Before I begin this—

**Hon George Smitherman (Minister of Health and Long-Term Care):** He'll have it memorized soon.

**Ms Churley:** You do have to memorize it. I know when I was Deputy Speaker, I was given pictures of every member in this House by the Clerk's office, with their riding written on the back. You'd have to go home at night and practise matching the face to the—

**Hon Mr Smitherman:** I do that.

**Ms Churley:** Yes, exactly. Do you do that? I still have them. Believe me, I'm saving them for a rainy day, the 1995 pictures—hang on.

*Interjection.*

**Ms Churley:** Many people were much younger then.

But, Mr Speaker, to the motion, because I know you've made it clear that we are to speak to the very important motion before us. I think everybody here will forgive me, though, if I take a moment on behalf of my caucus to welcome the member for Windsor West back to the Legislature today. I want her to know that the thoughts and prayers of all of us here have been with her. We're very happy to see her back and look forward to the opportunity to ask her her first question, I believe, as a minister. Welcome back, Ms Papatello. All the best.

The motion before us today—and of course there are rules in this place. The new Premier has pointed out on several occasions that rules are rules. Of course there are rules, and today we're adhering to a very important rule in this place, and that is, the rule with respect to the ability to debate motions that are put before this House. New Democrats believe it's very important to debate this motion before us today, and I'll tell you why, Mr Speaker.

I've been a member of this place now since 1990. I've been, for a brief period of time, a backbencher in a new government, and I've got to say to all of the backbenchers, it's not the best position to be in this place. Out of every position you can be, a backbencher in opposition or a backbencher in government is one of the more difficult positions to be in, because you don't have the power to make the decisions. But you also don't have the ability as individual members to speak out against your government—unless, of course, you've given up any hope of ever getting into cabinet. Sometimes, then, mavericks are created. We've all seen them in every



caucus from time to time: members who speak out against their own government because they don't agree with the policies or they don't believe the policies of their own government represent their constituents.

That's where committees come into this debate here today. I believe with a new government—indeed, the new Premier, during the election campaign and after, talked about reforming democracy and in fact enhancing democracy, making democracy in this place more relevant for all members, in particular backbenchers, including backbenchers in the opposition benches, to be given more tools so that we can better represent our constituents, and in fact we're not using that opportunity. The Premier, as yet, has not demonstrated in so many ways that he could that he really meant those words.

Coming back to the motion on the committees before us today, my colleague from Niagara said that we need a radical new sitting schedule. I think that we perhaps need to have a radical restructuring of how the committees are run and how they actually work.

As you know, right now, and you would have heard when the names were all read out today, the majority of members on all of those committees are government members. It has always been that way, as far back as I've looked, so that even in committees, where the important work is done and government backbenchers do have an opportunity to speak their minds, they do their own research—and sometimes incredible research—and they find things that don't necessarily agree with the government bill before the committee. Or we have witnesses who come in who convince all of us. I have seen it in government, as a minister sending a bill to committee with my parliamentary assistant and government members there to represent the ministry's views. I've seen it happen from all three, governments of all stripes, where you have, dare I use the word, independent-minded members from the government backbenches who come into the committee, listen to the witnesses—whereas the minister frequently doesn't, only comes the first day and gives the statement, and then the backbench members from the government have the opportunity to sit in the committee, hear the witnesses, ask questions and then perhaps decide, "No, this bill before us needs some amendments." So we need a radical restructuring of the committees.

I don't believe those committees should be made up of a majority of government members, especially when you have government backbenchers still hoping—many of us have been there—they will get into cabinet and toeing the line that they know in their hearts and in their minds, after hearing the information from other committee members, from their own research, from witnesses who come in, that radical amendments need to be made or in fact that the bill needs to be withdrawn and completely restructured.

I believe that we need to take a look at the makeup of committees so that the government cabinet doesn't give backbenchers marching orders to go in and defend bills that are indefensible, or when new information comes in

and there's no way for those members to actually agree with changes that opposition members—who are in the minority in the committees, as they are here—make. Government members know those are good amendments but are told to vote against them. It happens repeatedly, and you would know it, Mr Speaker, because you have sat on committees in this House, as I have, as a minister. You were once the Minister of Housing; I remember that. You've also served on committees as a backbencher in opposition. You know what I'm talking about, and the dynamic that goes on that's very unhealthy—

**Mr Baird:** On a point of order, Mr Speaker: We are currently speaking to motion 12, which is what day and what time a committee is supposed to sit, not what it's supposed to do. I would wonder if you could look at the point of order, and if you agree with it, bring the member to order.

**The Speaker:** I'll just caution the member to maintain that direction.

**Ms Churley:** I do, sincerely and most humbly, apologize. As you know, the issues are intertwined, so sometimes one can wander off the subject at hand.

Let me come back to the very important issue on timing of the committees. I've been appointed, for example, to the general government committee, and it meets on Monday and Wednesday afternoons.

*Interjection.*

**Ms Churley:** I've been interrupted by the member for Nepean, just standing on a point of order. He is heckling, and I don't believe that you can hear me, Mr Speaker. Can you hear me?

**The Speaker:** I'm hearing you well.

**Ms Churley:** On the timing, let me give an example. I like to sit on general government, by the way, just as an aside. I'm going to come back to the time. I usually sit on that committee. All of the environmental issues go before that committee.

1440

Let me tell you something about the timing. Quite frequently, as you would know, Mr Speaker, what happens is we get delayed during routine proceedings in this House and we're late getting into the committee room. There are two reasons why that's particularly harmful: Number one, frequently we call witnesses and they are time-allocated, so to speak. I'd love to talk about time allocation today and the backroom deal between the Conservatives and the Liberals on time-allocating some motions here today to get us through the House and out for a vacation earlier, but I'm not allowed to talk about that right now, I believe. But you can be guaranteed that you'll be hearing more about that later.

Back to the timing of the committees: You have very important witnesses who are scheduled at a particular time. We're a half hour to 45 minutes late going into the committee room, so right away you're backed up and those people are behind. Then you either have to cut down their time—and they come so well prepared; I'm always so impressed by the amount of work that witnesses do before they come to speak to us. Whether



it's pro or con for the bill, they do a tremendous amount of work. Sometimes they practise their remarks to the five minutes, or 10 or 20, whatever they've got, to get it right. It's really hard for them when they're suddenly told, "We're running behind schedule so you can't give us all of your comments, or you are going to have to hurry up, or you're going to have to come back another time," whatever. It's not fair to them.

The other thing that sometimes happens, routine proceedings in this House being as they are, is that unanticipated votes happen and the bells ring. We all have to keep one eye on the TVs up in the corners while the witnesses are there or while we're debating amendments or certain aspects of the bill. We have to keep one eye on the TV and listen for the bells to ring, and sometimes we don't give our witnesses the full attention they deserve for that reason. So that's one of the problems with the timing and the scheduling of these committees.

The other thing that I would like to point out that I have experienced many times because of the timing of these committees—and all of you here will experience this and that's why I believe we need not only a radical restructuring of the time when these committees meet but the way these committees are run. I have had the experience when the Tories were in power, sitting on that side of the House, where I would go to the general government committee at the scheduled time. I would go with sometimes tons of amendments. In fact, I think it was the Nutrient Management Bill, put forward by the then Tory government, which you will all remember, an issue dear to my heart and, of course, to many people across Ontario, particularly in the wake of Walkerton. I was up, along with Fred Glogler, one of our researchers at the time. We were both up pretty well all night, coming up with reasonable amendments because there were so many holes and problems with that bill. I think it was nutrient management; it might have been another one, just for the record. I'm sure Mr Glogler will correct me if I'm wrong on that.

We had some substantive amendments. The government too put forward—and this relates to the timing; I'm coming back to that. This outlines why the scheduling is a problem. The government also put forward quite a lot of amendments, many of which were technical in nature. The Liberals, then the opposition, also came forward with many. Mr Bradley, the Minister of Tourism now, was on that committee with me. He will remember—

**Hon James J. Bradley (Minister of Tourism and Recreation):** I was here back when the NDP said something.

**The Speaker:** Order. I don't need discussions across to each other. I hope that your comments are directed to the Chair. I'll caution members on all sides to adhere to that.

**Ms Churley:** I could talk on this subject for hours because—

*Interjection.*

**Ms Churley:** No, but this is a very important topic. Again, I was starting to explain to the Speaker and all

members in this House why the timing and the scheduling of these committees is a problem. I was talking about the fact that you can work for hours on amendments, that you can spend a lot of time doing your research, talking to other outside groups who have an interest, getting it right, and then coming into the committee, it's been delayed, and the government of the day has brought in a time allocation motion that says this, for the committee hearing: "At a certain time, all amendments"—

**Mr Kormos:** Four o'clock.

**Ms Churley:** —four o'clock, usually, in committee hearings—"are deemed to be put." Do you know what that means? That means that when amendments are deemed to be put, they are just voted on. You can't have any discussion.

Furthermore, after staying up—I gave an example—all night preparing amendments, going through all of the other amendments, marking the ones from the government I didn't understand—the technical aspects of them—

**Mr Baird:** On a point of order, Mr Speaker: I would again draw your attention that we're debating number 12 and the member opposite is not debating this motion. She has been warned three times.

**The Speaker:** The member for Toronto-Danforth, I've waited very much as you divert. I waited for you to come back to the relevant part of the motion. Could you direct your discussion on that, please?

**Ms Churley:** I know the member for Nepean is trying to help me here. Indeed, talking about the scheduling, the timing of committees: Let me get directly to the point. My point here is this: There is a problem with the scheduling of committees to date. I was giving—

**Mr Baird:** What?

**Ms Churley:** I'm speaking to the Speaker, and if you're interested in what I have to say, you would pay attention to what I have to say. I'm directing my remarks to the Speaker. I would say, Mr Speaker, to the member for Nepean—who is constantly interrupting me—he has an opportunity in a few minutes to stand up and speak to this motion for 20 minutes. It sounds to me like he has significant things to say. I would say to all of the members in this House: Instead of heckling me and standing up on points of order, why not use the opportunity to get up and debate this motion that's before us today?

What happened to me because of the scheduling of the committee and the time allocation, and why I'm agreeing with the member for Niagara, why we need to radically change the sitting schedule for committees—that's exactly what I'm talking about. I'm telling you why we need to change it. How do you feel? How do you think I felt? I am on topic here.

After staying up all night working on amendments, because of the timing and the scheduling of that committee, I was unable—once it was deemed that all the amendments be put, and this indeed is about scheduling—I had some very specific questions for the government members on the technical amendments that were put forward. I didn't know whether I wanted to support



them or not. I sincerely didn't. I needed to ask some questions. But because those amendments were deemed to be put, I was forced into a position of not being able to vote either way.

So there are several very big problems with the scheduling of the committees, as outlined by the House leader today. I think that this is an opportunity for us to completely revisit, restructure, the sitting schedule. The member for Niagara, my colleague, the NDP House leader, talked about that perhaps we should be sitting more on Fridays, perhaps even some time into the weekend. Perhaps we need to be giving opportunities to the public more frequently than we do with the existing scheduling. For instance, I know that it's very difficult, for lots of people who want to come in as witnesses, to come in from, say, 3 in the afternoon to 6 at night.

At one point this House kindly gave me unanimous consent in terms of scheduling committee hearings for my adoption disclosure bill—which, I'm glad to say, will be coming back soon. Because of that very scheduling problem, I was able to get unanimous consent a few times from both of the other parties to allow the general government committee to sit into the evening a couple of times, although that was not part of the routine proceedings around here, so that the witnesses could come in. Most people work during the day and are unable to come in and speak to us during our scheduled committee hearings. I was able to get that special agreement, that special unanimous consent to hold a couple of evening sittings in the committee so that those people were able to come and give their deputations at that time.

1450

I would say that this is an area where we could do some work. We need to have a discussion in this place around scheduling committee hearings into the evenings and, indeed, some time into the weekend, more for the benefit of our constituents and interest groups who are unable to come in during the day.

There are a number of things that we need to discuss when it comes to the sitting schedule of our committees. My colleagues will be taking this opportunity to let people know about their ideas of how we might change some of the sitting schedule so it's more beneficial to all of us and, indeed, is more beneficial to democracy in this province. We New Democrats believe that we need to enhance democracy, that we need to give more opportunities to backbenchers from all three parties to participate in committees, because, as the member for Niagara said, some of the most important work in this place gets done in those committee hearing rooms.

**The Speaker:** Further debate?

**Mr Baird:** I want to say to my New Democratic friends that I support your desire to be recognized as an official party. Many of us on all sides of the House support that. There are only two groups that don't: (1) the voters, and (2) the government House leader. I can't do anything about that.

**Mr Rosario Marchese (Trinity-Spadina):** On a point of order, Speaker: I will remind the member from Nepean that the motion is motion 12. Speaker—

**The Speaker:** I've got your point of order. Give him a chance to speak first.

**Mr Baird:** With respect to the Legislative Assembly committee sitting on the prescribed time as outlined in motion 12, short of full party status, I think with motion number 5, they're giving you a pretty reasonable offer. I wish it was full party status. I made a number of recommendations to the government House leader with respect to the debate.

**Mr Howard Hampton (Kenora-Rainy River):** On a point of order, Speaker: Is the member speaking to the motion?

**The Speaker:** I know the member for Nepean-Carleton is going to speak to the motion. Could you come to it quickly?

**Mr Baird:** We're speaking to motion number 12 with respect to when the legislative committee would be sitting and when they could debate this. Committee time is important; so too is question period time. The public at home should know what's going on today.

This is not about the motion that's in front of us, motion number 12. What it's about is the New Democratic Party holding the Legislature of Ontario hostage. They want a ransom of \$1.8 million—

**The Speaker:** Order. The member for Nepean-Carleton has gotten about three warnings about speaking on the topic. Could you, please?

**Mr Baird:** So the Legislative Assembly committee will sit on Thursday mornings. They don't have question period on Thursday mornings because we have question period in the afternoon. But we're not having it today because the New Democratic Party members who just spoke are holding the Legislative Assembly as hostage. They want \$1.8 million—

**The Speaker:** Order. Further debate?

**Mr Marchese:** I want to thank the members for Niagara Centre and Toronto-Danforth for their efforts to try to talk about—

**Ms Churley:** Try?

**Mr Marchese:** Well, "try," because we're all trying. We are doing our best to speak to motion 12 and to try as best we can to make them as efficient and as effective as possible. That's our job.

Speaker, I have to tell you, I'm profoundly nervous about the growing intolerance in this place for people like the member from Niagara Centre, who makes tremendous efforts to follow the rules and participate as best he can. Each time he does this, I hear howling from the other side, from the Liberal members—Speaker, I'm trying to see you—and it concerns me.

**Mr Baird:** The cameramen are getting dizzy.

**Mr Marchese:** It's just that someone is blocking my view of the Speaker, and I always want to address him. Mr Speaker, I want to address you, you understand. You and I were both in opposition, and I remember clearly how we were often told that we need to address the Speaker, and that's what I want to do.

I am concerned about the little tolerance we display to members who want to participate as best they can to help



each other in this place, and that's what we're doing. The member from Niagara Centre talked about the difficulties people have in getting to committees on a Monday or a Tuesday or a Wednesday or a Thursday, particularly in the afternoons. You and I and the member from Toronto-Danforth talked about how difficult it is for many to come on an afternoon, where they sometimes are expected to come at 3:30, but usually they don't start until 4 o'clock. So when you have deputants who come to speak for 15 or 20 minutes, it's tough to fit a lot of people in that time slot.

The member from Niagara Centre talked about the idea of meeting on weekends. It's a useful, practical suggestion to make, and while I think some of us could make those hearings, if we held them on a Saturday or Sunday—I could because I'm closer here in Toronto and I could make myself available to do that. But some people would have a difficult time, if they come from different parts of the province, so I know that for some people Saturdays or Sundays would be complicated. So I admit that—

**Hon Greg Sorbara (Minister of Finance):** Rosario, what point are you making? You're way off topic.

**The Speaker:** Order.

**Mr Marchese:** Speaker, you see the intolerance to any view that any member of the opposition would have from the Liberal ministerial benches? I think it's wrong. I think people need to be a little more flexible, Speaker, as you are, often—or at least as Speakers are generally—where they allow for some freedom of debate, if even tangentially connected to the topic. But we've seen that and we've allowed that. I was getting concerned by your ruling, because I thought, my goodness, is the Speaker all of a sudden becoming intolerant to members speaking outside of the little boundary of the particular motion? We've never done that before.

**Hon Mr Sorbara:** Don't attack the Speaker, Rosario.

**Mr Marchese:** To the motion: So yes, the member from Niagara Centre talks about the possibility of Saturdays or Sundays. I think it's something the government might want to look at, because not everybody is available Monday to Thursday. And I want to talk about Fridays as a possibility, but Saturdays and Sundays certainly are good days.

**Hon Mr Sorbara:** Don't talk about Fridays.

**Mr Marchese:** I want to come back to Fridays. Please, don't be so intolerant. Give me a break.

Saturdays and Sundays would permit people to come, because they would be able to have the time, and I think the government should not exclude it as a possibility.

**Hon Mr Sorbara:** You can talk, but never on Fridays.

**Mr Marchese:** I believe that Fridays are good days. Why do I say Friday is also a good day? Because while it's difficult for some members who live in the outer regions of the city—and some very far; you've got to travel quite a fair bit to be able to get here to Toronto. So think it's complicated.

*Interjection.*

**Mr Marchese:** You could travel outside, you're quite right, and we've done that. That could facilitate it. That's not excluding Saturdays and Sundays. But I did think that Friday was a good day, because on a Friday we are not sitting here in the Legislature, from 1:30 till midnight often—at least in the next two or three weeks. But Fridays—

**Mr Kormos:** What about January, February and March? We could use them.

**Mr Marchese:** If we had to. You're right. I'll come back to that.

Fridays are good because we're not sitting in this place and it gives us all an opportunity to come to Toronto to meet, if we didn't want to meet outside of this place. So for those who live in Toronto, in the GTA and beyond, Friday would be a good day for them to be here. Yes, it would complicate it for some who might want to do some constituency work on a Friday, but that could be considered to be constituency work, in a way, and they could do constituency work on a Saturday or Sunday. So it doesn't exclude their ability to be able to connect with their constituents on a Saturday or a Sunday. Friday is good. It's a good possibility.

1500

I was thinking about what Jim Bradley would have said if he were in opposition. I was thinking that because I recall the member from St Catharines, who often would have so much to say on so many things and on a regular basis. Why, he couldn't stay away from this place but one moment. Whenever there was a debate he would be here to say, "We can't strangle debate; we need to have more and more opportunities to discuss bills." Then I thought, what would he say? He came in and he said the following—I'll get back to motion 12 in a second, but if you could, a little flexibility, Speaker; I'm not asking for much; just a little. The member from St Catharines said, "I was here when the NDP had something to say instead of playing games." I couldn't believe it. That's what he said about a mere five minutes ago. This is Jim Bradley, our buddy for eight years when we were in opposition together. He comes in and says that we are playing games, that the NDP, in the past, used to say something but now, today, we're saying nothing. I find that hard to believe.

**The Speaker:** I'd like you to get back to the topic at hand to discuss that, and refer to the member by his riding.

**Mr Marchese:** Quite right. He's the Minister of Tourism right now. But I was reflecting on the Minister of Tourism as he came by to make that remark because I thought about what he would say to this argument. I think the member would say that opposition parties need to be able to stand up and speak to any bill any time they wish, that they would be able to stand up and speak to any bill and improve it in any way possible, however ill it might be considered by the government party. I know that he would be here today, were he in opposition, and say that members need to have the freedom to stand up and say what they want. I'm sure he would say that whatever



members would speak to is pertinent, is reasonable, is done with the purpose of advancing the interest of the public and public debate and done in the interest of democratizing this place. I know that he would say that. I know that he would when in opposition, like me, say how complicated committees have become because members no longer have the freedom to say what they want when they're in government, so that they could, having that freedom, make sure that the bills that are debated reflect everyone—government members, opposition members and the public—to the extent possible.

It happened to me when I was in government. Often I participated when I was in committee in a way that my own caucus didn't like. I thought that was wrong. They accused me of freelancing. I thought that it was a mistake not to allow the members of opposition parties to have something to say. And if they can improve a bill, we should be listening to it and not fighting it because we are the government and they're not. It was my view, in government, in 1991 to 1995, that when opposition parties have something to say, we should listen to what they have to say, and if we find it reasonable, we should not exclude it or reject it on the basis that it's coming from the opposition benches and therefore not worthy of supporting. I felt that my friends often in that committee were wrong to try to shut me up because I threatened to support an opposition motion in committee.

So I urge tolerance. In the way that the Liberal members urged tolerance while they were in opposition, I urge tolerance by them now while they are in government, to listen carefully to what opposition members have to say, weigh it, and at the end of allowing for sufficient discussion and debate, say whether they agree or disagree. That's fine, but please don't mock the members as they speak or try to say something in this place that is an attempt to make things better. I do see the mocking from time to time; not recently, but often as the member from Niagara Centre spoke I could see the heckling from the government benches. I think it's wrong to do that.

So I say that we should be looking very carefully at when these committees should be held. I'm urging for consideration Fridays as a distinct possibility here. I'm also urging, connected to this discussion, that we also consider whether or not we can allow members of the public to speak in another language and allow for translation services in committees, so that you as Liberals and we as New Democrats would say, "We do not exclude anyone from coming before a committee and speak in whatever language they have." If English is not their strongest language, we say to them, "You can come and speak in Italian, Portuguese, Chinese, Greek or Polish. Whatever language it is that you speak, we as committee members want to hear from you." It is connected in terms of how we make it possible.

**Mr Kormos:** That sounds like a possible amendment.

**Mr Marchese:** It could become a possible amendment that we could consider in terms of sending this off to committees. It could be. And you know that, Speaker. You know how threatening this Legislature can be to so

many people. It's threatening to a lot of members in this place, let alone some of the constituents out there who come before us and find it incredibly difficult to confront a committee of, what, seven, eight or nine, and do it in a language that is possibly not their strongest of languages. I'm urging the government to consider the possibility of democratizing our committee hearings by communicating to them in the various respective languages through whatever channels we've got. We have newspapers, of course, where we can communicate in different languages; we have different television stations in different languages; we've got radio. You, the government, should consider publicizing the fact that we want every Ontarian to participate and we will not allow language to be a barrier to their participation in committee. I was thinking that we need to consider how we make it possible and easier for people to come to Queen's Park so that we can hear them all and so they do not feel threatened. I don't want to come back to the issue of meeting on Sundays. I think on Sundays, it's too complicated.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** My guys just went home because of your filibuster.

**Mr Marchese:** You see what I mean about the intolerance? Just trying to find where the member is from; I forgot. The member for Ancaster-Dundas-Flamborough-Aldershot—holy cow, it's a long riding. It must be difficult to cover—

**Mr McMeekin:** You said you wanted to hear from people. They were here and had petitions to present.

**Mr Marchese:** We were buddies in opposition. It's so hard to imagine how difficult it must be to be government.

**The Speaker:** Order. Direct your—

**Mr Marchese:** With you too, Speaker. You were in these ranks, and we shared a lot in common together.

I was saying that we are offering suggestions to the government, and the suggestions ought not to be dismissed. We talked about the idea of Sundays as a possibility now. I was trying to say that Sundays have to be ruled out. It's not a good idea, Peter; I'm sorry.

**Mr Kormos:** What about Saturdays?

**Mr Marchese:** But you agree with me that Sunday is complicated. Saturdays, however, member for Niagara Centre, we shouldn't exclude that, in your view?

**The Speaker:** Member for Trinity-Spadina, could you direct your comments to—

**Mr Marchese:** Just conferring with my buddy to see whether we were in agreement with Saturdays. He believes that Saturdays should not be excluded, and I too, with him, say that should be considered.

*Interjection.*

**Mr Marchese:** He didn't say he was agreeing with me? All right.

Saturdays are a possibility. I insist on considering Fridays. I do insist on that. We have to give people the time, and that includes the members of this place. I think we should rotate committees on a Friday basis. One



committee meets on Monday; the other committee could meet on Fridays.

So let me look at all the various committees that meet: standing committee on justice; standing committee on estimates may meet on Tuesday and Wednesday afternoons; and the standing committee on government agencies meets on Wednesday. I'm saying, the standing committee on government agencies could meet on a Friday from time to time, to give people the opportunity to come and see which appointments have been made by the government and allow them, on the basis of their being able to get there, to see the appointment and hear what the government members have to say about that appointment, and the opposition parties. Give them the opportunity to be part of those hearings. Fridays would allow them to do that, whereas other days could be very complicated in terms of getting here and timing and so on, I believe.

1510

We should consider allowing the public who want to come from outside the GTA the opportunity to come and witness and participate and possibly consider the idea of paying for their bus ride to get to this place. We might want to consider that as a way of enlarging the democratization of this place by saying to people, "Look, we invite all of you to come. We don't just want to select political ideologues to come to this place, or just journalists to sit in on those committees; we want each and every one of you to take an interest in the workings of this place, whether it be government agencies, estimates or finance, or whatever it is. Government agencies is a very interesting one because often the opposition parties say, "Ha, government only selects Tories when they're in power." Now the Tories are going to accuse the Liberals of only selecting Liberals while they're in power.

The only ones who made a mistake were New Democrats who opened up the doors to everyone. I've got to tell you that was a serious mistake. We were accused of appointing New Democrats when our leader, Bob Rae, said, "No, we can't do that." Our leader at the time said we have to open up the process to so many who are able, be they New Democrats, Liberals or Tories. We thought it was a good thing to do, but we didn't get any credit for that. We got attacked. We got attacked by the Liberals and Tories, who had German shepherds at the doors. Every time they smelled somebody who might have sounded or looked like or spoken like a New Democrat, they were at the doors barking before they even went in. You could get in if you were a government member, right, but imagine those poor folk who were appointed by us and the trauma they must have felt.

Now the Liberals are in power. I'm sure they, like the Tories, are going to appoint people on the basis of merit, because that's what the Tories said. "Merit," understand, means you've got to be a Liberal, so I want to invite—and the Liberals might want to invite—people to come and say, "Look, come and see the kinds of people we nominate. Because the people we nominate will be able; not Liberal-connected in any way whatsoever. They will be able people. We want you to see them personally."

So I say to the members, invite them and let's have it on a Friday—morning, afternoon, possibly evening, although evening might be a bit too much for some, and I agree. Like the member from Niagara Centre said, we could start at 8, so that we could end at 6 o'clock, which would give reasonable time for people to be able to come, the time that it takes to be able to make a deputation, allow perhaps the citizens to participate in committees. We could reflect on that in some way so as to democratize our processes as much as we possibly can.

I know the Liberals are committed to this, you see. I know that McGuinty, your leader, is committed to the democratization of our institutions, our committee hearings, the way in which we participate here. Oh, God, he spoke so eloquently on this so many times; I am sure he is reflecting on the best way to do it. If the House leader of the Liberal Party is not going to do it, I'm sure the whip of the Conservative Party is thinking about that. Why, he stood up on a number of occasions here playing the role of deputy House leader, yet he's the whip of the Conservative party. I don't understand this.

**The Speaker:** Further debate?

**M. Gilles Bisson (Timmins-Baie James):** J'ai le plaisir d'avoir l'opportunité de parler de cette motion, la motion numéro 12, qui va en effet donner l'habileté aux comités de cette Assemblée de siéger ici durant la semaine, et j'imagine aussi durant le temps entre les sessions de cet automne et du printemps prochain.

Je veux être pas mal spécifique dans mes commentaires sur cette motion qu'on a devant nous aujourd'hui. Je sais que tous les membres de l'Assemblée, comme vous, monsieur le Président, veulent que les travaux ici à l'Assemblée soient pris d'une manière où on fait le mieux dont on est capable pour représenter la population de notre comté quand ça vient aux projets de loi qu'on va traiter à ces comités.

C'est important, quant à moi, que n'importe quel comité auquel on donne l'autorité de siéger à travers cette motion soit donné l'opportunité de siéger d'une manière adéquate, l'habileté de siéger et de traiter les questions que cette Assemblée va traiter cet automne et le printemps prochain.

On sait, par exemple, que cette Assemblée traite présentement plusieurs projets de loi que le gouvernement a introduits dans les dernières semaines, ces projets de loi qui vont être référés à ces comités par la manière dont on fonctionne ici à l'intérieur de l'Assemblée législative de l'Ontario.

Le problème que j'ai avec la motion, c'est que je trouve qu'on ne va pas avoir le temps adéquat de faire les travaux qu'on a besoin de faire comme députés pour traiter les questions à l'Assemblée qui vont être référées à ces comités. Par exemple, je sais qu'on va référer toute la question d'énergie qui était créée sous la Loi 4 au comité de la justice et de la politique sociale. Ce comité qui va traiter cette question, on dit ici à l'Assemblée qu'ils vont se rencontrer les après-midi le lundi et mardi.

Mais vous savez que l'Assemblée siège durant ces après-midi. Je cherche une certaine flexibilité de la part



du gouvernement et des conservateurs, parce que les deux sont ensemble là-dedans. On veut qu'on ait la flexibilité que ce comité siège autrement que juste le lundi et le mardi après-midi pour les députés qui ont besoin d'être ici à l'intérieur de l'Assemblée durant ces journées-là, parce qu'ils sont donnés par horaire parlementaire la responsabilité d'être ici pour représenter leur parti. On veut donner l'opportunité à ces députés de revenir d'autres journées, autrement que lundi et mardi, pour traiter, par exemple, la question de la Loi 4, qui va créer un régime qui va faire augmenter le prix d'énergie dans la province de l'Ontario.

C'est important pourquoi, monsieur le Président? Comme vous le savez—excusez-moi. Je ne peux pas vous voir. On a quelqu'un entre nous deux ici.

**The Speaker:** Could I ask the members to sit. I cannot see the member who is speaking to me. Thank you very much.

**M. Bisson:** Merci, monsieur le Président. C'est important que je dirige mes commentaires envers vous. Je ne veux pas que vous ne me voyiez pas. Par cette manière-là, c'est un peu plus difficile de faire le débat.

Comme je l'ai dit, de on va avoir l'opportunité dans ce comité de la justice et la politique sociale de traiter la Loi 4, une loi qui va donner l'habileté d'augmenter les prix d'énergie de cette année à l'année prochaine. On sait que c'est une question très importante pour tous les membres de cette Assemblée. Comme vous le savez, la manière dont le comité était donné le mandat de siéger à travers cette motion dit que le comité de la justice et de la politique sociale va seulement se rencontrer le lundi et le mardi après-midi.

Comme je l'ai dit, c'est un problème. Il y a certains députés qui ne pourront pas être là. Je sais qu'on va tous avoir des questions des citoyens qu'on représente dans notre comité sur cette question. Comme vous le savez, quand les conservateurs ont changé le régime du prix d'électricité à peine deux ans passés, c'était le hurlement complet de tous les citoyens de la province de l'Ontario qui sont venus voir leur député provincial pour dire, « Arrêtez ça, ça coûte trop cher. » Moi, je veux m'assurer comme député que je suis capable d'aller à ce comité et siéger là-dessus. C'est pour ça que moi, j'aimerais que le gouvernement nous accorde une certaine flexibilité de changer ou peut-être d'ajouter d'autres jours à ce comité.

Je vous donne deux options : on pourrait possiblement prendre la pratique, en place d'avoir siéger les comités durant l'après-midi lorsque les députés sont assis ici à l'Assemblée, de référer nos comités qui siègent le matin autrement que le jeudi matin. De cette manière, tous les membres de l'Assemblée auraient la flexibilité, s'ils la choisissent, d'aller à un comité pour représenter les questions qui sont importantes pour eux ou pour les citoyens qu'ils représentent. Vous comprenez le problème.

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Je vous donne, par exemple, les comptes publics. Comme vous le savez, aujourd'hui le vérificateur de

l'Ontario a introduit les comptes publics de la province. Son rapport va être référé à un de ces comités. Il va être référé au comité des comptes publics, qui siège ici le jeudi matin. Vous savez bien que le jeudi matin l'Assemblée siège de 10 heures du matin à midi et l'après-midi, quand tous les membres de l'Assemblée sauf les ministres viennent ici pour traiter des questions des projets de loi des membres privés. Ça veut dire que moi, je vais être ici ce jeudi pour traiter les projets de loi de M. Murdoch et de M. Levac, je pense. Je n'ai pas l'habileté d'être dans deux places en même temps.

C'est pour ça que je pense qu'on doit possiblement regarder la manière de laquelle on organise nos comités et qu'on dit, comme concept, que les comités ne siégeront pas durant le temps que l'Assemblée elle-même siège. En d'autres mots, si l'Assemblée siège l'après-midi de lundi à jeudi, les comités siègent le matin, et parce que l'Assemblée siège le jeudi matin, les comités ne siègent pas en même temps. De cette manière, ça donne à tous les députés l'habileté de venir et de représenter leur point de vue, leurs intérêts et les intérêts des citoyens et citoyennes qu'ils représentent dans leurs comités. Je pense que c'est important.

L'autre point, c'est l'habileté du public de venir à ces comités. Comme vous le savez, la démocratie est supposée être quelque chose pour le public de l'Ontario. En d'autres mots, on a choisi ici en Amérique du nord, comme dans beaucoup d'autres places, en Europe et dans d'autres parties du monde, d'avoir un système démocratique. Le concept de la démocratie, c'est que les citoyens nous chargent, nous les élus, de les représenter pour un terme de quatre ou cinq ans, dépendant de la juridiction. Quand on est ici, c'est pour les représenter sur les points importants que traite notre société dans le temps.

Mais les comités donnent au public la chance de venir ici à l'Assemblée pour présenter leur point de vue comme individu, comme citoyen ou citoyenne de cette province; de dire, « Je suis d'accord », ou « Je ne suis pas d'accord », avec un certain projet de loi, ou « J'ai des amendements à apporter », ou « Vous avez manqué le point complètement ».

Comme vous le savez, on vient tout juste d'avoir une élection. Ça fait à peine un mois et demi. Le taux de participation aux élections a baissé d'année en année. Ça ne fait pas tellement longtemps que 75 % ou plus de la population ontarienne votait dans les élections provinciales. On est rendu à peine à 50 %. Je pense qu'une des raisons est que le public a certainement perdu confiance en notre système politique, parce qu'il ne se voyait pas là-dedans. Il regarde notre Assemblée et la politique et puis il dit, « Comment moi, le citoyen de Timmins-Baie James ou Scarborough North ou Kenora-Rainy River, se voit dans ce parlement, dans ce processus démocratique? »

Les comités qu'on fait à travers la motion 12 sont un des mécanismes—excusez-moi, le député, vous êtes entre moi et mon Président. Merci.

**The Speaker:** Could you please keep your seat so I can listen to the member for James Bay.



**M. Bisson:** Merci, monsieur le Président. Je veux m'assurer que je vous donne mes commentaires. Le point que j'ai essayé de faire dans mes commentaires, c'est que vous donnez l'habileté au public de venir présenter à nos comités. Ça veut dire qu'on a besoin de s'assurer que les horaires de ces comités sont faits d'une manière que la population a l'habileté de venir présenter. Il y a un petit problème avec ce qu'on fait. On dit que nos comités vont siéger du lundi au jeudi. Monsieur le Président, combien de personnes chez vous ont l'occasion de venir ici du lundi au jeudi ? Les gens travaillent. Ils partent le matin pour aller travailler puis reviennent la soirée s'ils travaillent le "shift" du jour. Le problème, c'est que s'ils veulent présenter, ils n'ont pas l'habileté de venir parce que leur journée de travail ne leur alloue pas le temps de venir présenter à ces comités.

C'est pour ça que je dis, sur le concept que j'ai présenté, que nos comités siègent le matin autrement que les journées qu'on siège ici à l'Assemblée. On doit regarder la possibilité que chaque comité siège une fin de semaine au moins une fois par mois, ou possiblement plus. Ça donnerait l'occasion aux citoyens et citoyennes de cette province de venir une journée de congé pour eux à cette Assemblée ou à un comité. Puisque, comme vous le savez, dans le passé les comités se promenaient autour de la province avec les projets de loi. Ça donnait l'occasion au public de donner un commentaire.

Au moins, si on ferait une pratique de donner à chaque comité l'habileté de siéger ces fins de semaine, ça donnerait la chance à un comité, par exemple, qui traite la question d'énergie d'aller une fin de semaine à Ottawa, à Sudbury, à Thunder Bay, à Kapuskasing ou ailleurs, et donnerait la chance aux citoyens et citoyennes et autres de venir présenter à nos comités.

Je sais qu'on va traiter des projets de loi dans cette Assemblée qui vont être référés à ces comités. Je le sais déjà parce que les téléphones sonnent chez nous comme chez vous ; le courriel et le courrier régulier nous envoient des lettres et des commentaires sur la question d'assurance-automobile, sur la question d'énergie, sur la question des réductions d'impôt. On a déjà des refs à ces points.

Le monde dit, « Je veux faire sûr que mon opinion comme citoyen ou citoyenne soit entendue dans tout ça. » Mais comment est-ce qu'on le fait avec un horaire qui, lui-même, n'alloue pas même aux députés à certaines occasions la chance de présenter à ces comités ou de participer ? Et comment peut-on s'organiser si même le public n'est pas capable de venir devant ces comités ? Je trouve qu'il est important, qu'on doit avoir une manière de donner l'habileté à la population de présenter devant ces comités.

I also want to say that it is interesting to note that at the end of this particular motion—and again I refer back to motion number 12—it says, "The standing committee on the Legislative Assembly may meet on Thursday afternoons following routine proceedings." That is a very important committee because the Legislative Assembly committee is the committee that deals with much about

the way things happen or don't happen, both in committees and within the House. I think it is rather important that we give more importance to that committee because quite frankly we've started on a practice—and I want to say up front that all three parties have endeavoured in this practice of tightening up the rules in this Legislature to the point that members are not as able to participate. I just want to say that the Tories certainly ratcheted it up quite a bit, but the Liberals, by way of motion number 13, which we'll debate at another date, have really ratcheted up the inability of members to participate on important government matters.

I think the Legislative Assembly committee is one of those committees that quite frankly we should tie a little bit more importance to. Why? I think it's simply this: Right now we're saying that the assembly committee is going to meet on Thursday afternoons. Most out-of-town members, members like myself and others who live far away from here, in practice leave here about 4:30 or 5 o'clock in the afternoon to catch flights to get back to their constituencies. Otherwise you're stuck here till the next day. It virtually means that a whole group of members are prejudiced by way of geography from being able to fully participate on such a committee. This committee sat last year, chaired at the time by the member from Mississauga South, I believe, and treated a number of important issues that dealt with how this assembly should function better. A number of members were not able to participate. I know the times I've gone there, I've had to rearrange my schedule by way of not being able to get back into my constituency on a Thursday rather than a Friday morning. That throws off your whole ability to meet with your constituents, as far as scheduling time.

That's why I think it's important that that committee be given an opportunity to meet again, I would say, in the morning of either Monday, Tuesday or Wednesday. That way, any member of this assembly who feels it important to be able to appear before that committee or to participate on that committee has the ability to do so, because the House would not be sitting. At least that way, members of this House would be able to meet as a committee to deal with what kind of role we should really have in this Legislative Assembly.

We know there has been a change in the standing orders and the Legislative Assembly Act about how this place operates. We now have a situation where a government, in this case a Liberal government, is able to do virtually pretty well anything it wants by way of the new standing orders. They're able to introduce a bill on Monday and have it passed into law by Thursday. I don't think that makes for particularly good legislation. That's why that assembly committee is so important. We should allow the Legislative Assembly committee to meet on Monday, Tuesday and Wednesday mornings and that way deal with how we structure the rules in this House so that the following two principles are met: first is that the government at the end of the day should have the ability to pass its legislation—I believe that firmly. The government is elected by way of a majority, and they should



have the right to pass legislation. But the second principle is that the rights of the opposition are also protected, so that we have an ability, when necessary, to be able to scrutinize the decisions of the government. I think those matters are best dealt with at the Leg Assembly committee. I don't think those things are best left in the hands of a government House leader and his or her staff or by way of House leaders meeting, in this case Tory and Liberal House leaders meeting, to determine how the rules of the House will be applied and how government business goes through. I think we can do that at the Leg Assembly committee much better if we were to sit down and take a look at, "All right, what do we want to do?" That's why, I propose that the meeting dates referred to in motion number 12 under the standing committee on the Legislative Assembly, which says "may meet on Thursday afternoons," really don't give us an ability as members to participate in that committee to the full degree that we would wish to participate.

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I also want to say that we know, for example, in motion 12 again they're saying that the standing committee on finance and economic affairs "may meet on Thursday mornings and Thursday afternoons." I've got a file about this high—yea high—of people who are mad about auto insurance. I'm telling you, I've got people, as we all have, who used to pay \$700 or \$800 a year for auto insurance who are now paying \$4,000 or \$5,000, and we're going to be referring that to this committee. I want to be able to have a schedule on this committee that would allow me to bring all of those letters, e-mails, faxes, voice mail messages that I've gotten and messages my staff have taken before they've committed to dealing with it.

Now, as it stands, on Thursday afternoons I am here in the House, so I'm not able to participate by way of our schedule, and on Thursday mornings—not every one—I'll be here for private members' hour, and that is a really important committee. The standing committee on finance and economic affairs deals with what are probably the most important bills that this House treats by way of debate in this House and passage at second reading.

That's why I propose that we should also again look at getting the standing committee on finance and economic affairs, which will deal with this auto insurance bill that's really not going to protect rates—but nonetheless I'd like to be able to get to the committee to deal with it. That's why I think that particular committee, finance and economics, should be meeting on Monday, Tuesday and Wednesday mornings as other committees.

Again—very important—we should be putting in this motion the ability to have that committee travel. I'm sure if you drive to Kapuskasing—the committee would never drive to Kapuskasing; it would probably take a bus or would fly or whatever. But my point is, if we were to bring that committee to Kapuskasing, Balmertown, Terrace Bay, Scarborough or wherever it might be, I'm sure there are all kinds of people, citizens of all types, who would like to be able to come to the standing

committee on finance and economic affairs to deal with how we resolve the problem with auto insurance. That committee is very important. That committee is going to be the one that's going to hopefully deal with that particular issue; that is, if the government allows us to have a role as far as opposition members, because we know the government, by way of majority, controls that committee.

The other committee which is extremely important—other than public accounts, which I mentioned earlier, finance and economic affairs and others—is the standing committee on estimates. I've sat on the estimates committee for probably as many years as I've been here in the Legislature. It is the first time in my time here in the Legislature that the schedule in the House is not going to permit me to participate on estimates to the degree that I would like. Again, some members would say, "Too bad, so sad; such is the draw of House duty." As individual members, we have rights. I'm the whip. I guess I could have scheduled myself. But the point I make is that everybody has a duty in the House. It means that some member is going to be disadvantaged, kept from being able to participate on the estimates committee because of the scheduling we've done in the House. The government whip, the opposition whip and myself as third party whip determine who sits in the House when and who sits on committee, but as an individual member you're allowed to go to that committee and do work if there are issues there that you want to deal with on behalf of the constituents you represent. That's why I say the estimates committee should be meeting Monday, Tuesday and Wednesday mornings and should be meeting possibly on weekends in order to deal with those issues, because that's the committee where a lot of those types of decisions are made.

Mr Speaker, I've made my point, and I hope the government House leader is going to reflect on that.

**The Speaker:** Further debate.

**Hon Mr Duncan:** I'm pleased to join this debate on government motion number 12. The government House leader states, "That the following schedule for committee meetings be established for this Parliament." That's an important thing to debate, and I'm pleased to join the debate.

The first clause reads, "The standing committee on justice and social policy may meet on Monday and Tuesday afternoons following routine proceedings." "May" meet; that's an important word, the word "may." It basically says to members that you have a lot of flexibility when you're going to sit. With agreement, and with the ability to sit down and be reasonable, you can amend those things. That's why this is a routine but debatable motion and that's why we brought it forward today because we would like the committees to start meeting next week. We would like to begin those discussions. The standing committee on justice and social policy: May they meet on Monday and Tuesday afternoons? Yes they may, provided it's after routine proceedings.



The NDP is arguing about accountability in debating this routine, debatable motion today, and they have effectively denied themselves and the Conservatives question period. I will tell you that we will seek unanimous consent to revert to question period because we think that's patently unfair. In spite of their efforts to take away their own ability to question the government and hold it to account, we now believe we'll have 15 of our 23 ministers here to answer questions, should they deem that it's appropriate for the opposition to use the hour available to them to ask questions rather than debate whether or not the standing committee on justice and social policy may meet on Monday and Tuesday afternoons following routine proceedings.

I should also say that these are the standard dates by which these committees and subcommittees have met throughout my time here. And I should point out that the third party members will all be on committees. We passed that routine motion just before their attempt to filibuster themselves here with this particular little diatribe that takes away question period, in spite of their arguments that they want to hold the government to account.

**Hon Mr Bradley:** I always liked question period when I was in opposition.

**Hon Mr Duncan:** Yes, question period is something that I would have thought the opposition would have wanted rather than to debate.

The second clause of the motion, because I do know it's important that we focus on the motion: "The standing committee on general government may meet on Monday and Wednesday afternoons following routine proceedings."

**Hon John Gerretsen (Minister of Municipal Affairs, minister responsible for seniors):** That seems reasonable.

**Hon Mr Duncan:** That seems very reasonable because it allows a lot of flexibility. Unfortunately, certain members of the Legislature don't want to negotiate. They prefer—

**Hon Mr Bradley:** Anarchy.

**Hon Mr Duncan:** —anarchy, grandstanding, whatever you like. They'd rather get up and fire-breathe about something where there's no fire. It's unfortunate because we on this side were looking forward to question period today. We have a commitment to being here. We want the opportunity to take questions and to answer questions. In fact, the Premier was going to be here earlier today for question period; he won't be able to now. But that's all right. If they want to filibuster themselves, that goes a long way, in my view, to explaining why perhaps they're in the position they're in right now.

The standing committee on general government: What could go to general government? The tax bill could go to general government, the one we promised in the last election, the one the NDP voted against last week. I would like that bill to get to committee next week so they can explain why they voted against getting rid of the education tax credit, which they promised to do in the election.

**Interjection:** They want more corporate taxes.

**Hon Mr Duncan:** And they want corporate taxes to go up. They want to filibuster themselves in the Legislature and take away the precious time they have to question the government.

**Hon Mr Bradley:** Conrad Hampton, it sounds like to me.

**Hon Mr Duncan:** Conrad Hampton, that's correct.

"The standing committee on estimates may meet on Tuesday and Wednesday afternoons following routine proceedings." What does estimates do? The estimates committee holds the government to account on its spending. That's where the opposition gets the government on matters of spending that it chooses to ask questions about. Of course, we all know that the convention at estimates, if not the rule, is that you go down the political road. You ask ministers and their officials very tough questions.

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The third party chooses to filibuster getting this started. The third party chooses to get rid of question period today. The third party chooses to prevent the estimates committee from starting. If we were still in the opposition, I would probably want to call the Ministry of Health, the Ministry of Education, the Ministry of the Environment, the Ministry of Energy. The third party and us disagree on a major piece of government policy, even though their position on the rate cap has changed, I think about five times in a year and a half.

But I have to get back to the substance of the motion. The motion says, "The standing committee on estimates may meet on Tuesday and Wednesday afternoons following routine proceedings." I imagine those members will be busy some afternoons. Most nights, there aren't many of them here anyway. We understand that. They go wherever they go on those weeknights. We often have three times as many members here as they have in their caucus to make sure that our members are here debating these. We're pleased to be here, to deal with estimates at committee. All of our members look forward to that opportunity. All of our members want this place to work.

We tabled something unique last night, something very unique that will make sure this House functions better and takes the irrelevance out of a lot of what we do. For instance, standing here—

**Mr Hampton:** On a point of order, Mr Speaker: Is the member speaking to the motion?

**The Speaker:** I think he is. Please proceed.

**Hon Mr Duncan:** Let me just refer back, for the leader of the third party, because obviously he doesn't understand the significance of estimates to the opposition. Estimates committee should meet on Tuesday and Wednesday afternoons. We're here Tuesdays and Wednesdays. I don't know about them, but we're here to work. I've come a long way from my riding, and my colleague from St Catharines is here; we want to work.

Again, the motion is very careful. The motion says "may meet." "May" meet: that's an important word. It doesn't say "shall" meet; it says "may" meet. Why does



it say “may” meet? So that we can accommodate them. What happens if their member can’t be at the committee? Well, you know what? Historically, the way this place has worked, when people aren’t playing games and filibustering themselves, we work together and try to co-operate.

We put another motion on, which will be called later on, dealing with making sure that they have every opportunity to participate in all aspects of the proceedings that they had in the last House. Instead, they want to debate whether or not the standing committee on estimates may meet on Tuesday and Wednesday afternoons, following routine proceedings.

Here’s one that I would have thought that any opposition party would be interested in: “The standing committee on government agencies may meet on Wednesday mornings.” What does the standing committee on government agencies do? They review the order-in-council appointments of the government of the day. The third party apparently wants to filibuster itself on these and prevent that committee from meeting next week to hear what the government appointments are. Even though the motion is worded in such a way as to allow some flexibility in terms of accommodating the schedules of 103 members, all of whom, other than those seven who don’t want to go to committee, it appears—the 95 rest of us, if you count the Speaker, who can’t participate—would like to get to this committee. The rest of us would like to have the opportunity to have government appointments scrutinized by the Legislature.

It’s passing ironic that those members would chew up question period today under the false guise of somehow making things better for the opposition, when in effect they’re debating against having the very committees that will hold the government to account. They’re keeping those committees from meeting. I think that goes a long way to explaining why they find themselves in the position they’re in today.

The next one—here’s an important one: “The standing committee on regulations and private bills may meet on Wednesday mornings”—may meet on Wednesday mornings. Our members are all at work in time to meet on Wednesday’s mornings. Where are you and why wouldn’t you be available? It seems to me, given the fact that the resolution itself allows flexibility, if there are items before the committee, if there is a need to change the time, we have a subcommittee, which you will be able to participate in, that can change the time. Is it because you don’t want to scrutinize government regulations? I don’t understand why the third party would want to filibuster itself and prevent itself from doing its job; probably because they’d rather just get up and go off about nothing over a long period of time and not focus on the real business of this Legislature and the people of this province. What an absolute abrogation of their responsibility as an opposition to do that.

How many times now have they voted against sitting at night? Every time we’ve asked for extra time to sit at night, they vote against it. Then they say we’re going on vacation, even though we’re following the standing

orders that they voted for. They agreed to these standing orders—they sure did.

Back to the motion, Mr Speaker, because I know you require that we debate these things very carefully. Now here’s an important committee for the opposition: “The standing committee on finance and economic affairs may meet on Thursday mornings and Thursday afternoons following routine proceedings.” What does the standing committee on finance and economic affairs do? They do pre-budget consultations. And, by the way, the Thursday time frame that’s agreed to here has been the time frame over the nine years that I’ve been here.

What is motivating them? Do they really want to filibuster or prevent the finance and economic affairs committee from meeting? Do they not want the tax bill to go to committee so they can explain why they voted to keep the private school tax credit, why they voted to keep cuts to corporate taxes? Is that why they’re trying to block this committee from meeting? Is that why we see the spectacle in the Legislative Assembly of Ontario where the third party, which has been duly and properly recognized by the Speaker, chooses to filibuster itself? This is unbelievable and not worthy of a respectable opposition that wants to make this House and our parliamentary institutions work.

We still have a couple of more items to deal with that are in the motion. The first one is: “The standing committee on public accounts may meet on Thursday mornings.” The members of the third party are talking about meeting on Fridays, which we’re quite happy to accommodate at some point, but where are you on Thursday mornings? You don’t want to meet on Thursday mornings? What are you doing? The House is sitting those days. You should be here. Our members are here. The official opposition wants to meet. Again, the resolution is the same resolution that you’ve voted for in the past on umpteen occasions, but consistency has never been your forte.

What does the standing committee on public accounts talk about? What are they trying to prevent happening at public accounts? What does public accounts deal with? It deals with the accounts of the province. They don’t want to meet. They want to stall, filibuster and delay. They’re delaying their own question period today, which we’re going to give unanimous consent to give back, to help them out of this silliness where they’re filibustering themselves. I could understand if you were filibustering the government—that’s a long and noble parliamentary tradition—but it’s very rare that one sees the opposition, or the third party I should say, filibuster itself. The Speaker would understand the significance of filibuster. He led a very historic filibuster, in proportion. But these folks over there would just as soon get up like—all I can see is wind coming out of balloons when they speak. They say nothing, mean less, and they’re just having a cute little game instead of holding the government of the day to account.

1550

I still have a couple more clauses of the motion to address. Here’s one: “The standing committee on the



Legislative Assembly may meet on Thursday afternoons following"—make sure you understand that—"following routine proceedings." The Legislative Assembly committee, what do they deal with? For instance, last year the standing committee on the Legislative Assembly met to consider, by order of the previous government, reforms to help private members. Now, the NDP members of the day didn't participate through most of it. They came at the beginning and then at the end. What was one of the items we dealt with in that report? Programming motions. We saw how they worked in many other jurisdictions so that we could prevent unnecessary filibustering. Again, I respect the right of the opposition to filibuster the government, but when the NDP filibusters itself, it's hard to believe that the party of Tommy Douglas and many other great Canadians would find themselves in that position of their own accord.

**Hon Mr Bradley:** Stephen Lewis used to give great speeches in this House.

**Hon Mr Duncan:** Yes. Stephen Lewis is an example of a great NDP leader who could hold this House in the palm of his hand while he spoke.

**Hon Mr Bradley:** I'm for a by-election. Bring Stephen back.

**Hon Mr Duncan:** Bob Rae in opposition was a remarkable politician, one who was worthy of the opposition. I can't recall, and we have been looking over the past hour, if there's any example in Canadian history where the opposition has attempted to filibuster itself. Frankly, they haven't.

Maybe I'm wrong. Maybe there is some greater goal in getting rid of question period and not allowing committees to sit to hold the government to account.

**Hon Mr Bradley:** It has nothing to do with money.

**Hon Mr Duncan:** It has nothing to do with money, I'm sure. All it has to do with—

*Interjections.*

**The Speaker:** Order.

**Hon Mr Duncan:** I'm sure all it is is whether or not the standing committee on justice and social policy may meet on Monday and Tuesday afternoons. Would we be prepared to meet and talk about other days and times? Of course we would. The subcommittees can do that. It says "may meet," not "shall meet." This, by the way, you've agreed to on umpteen points in the past. But I understand your need to filibuster yourselves today, so we respect that. The standing committee—

**Mr Baird:** I think you're filibustering.

**Hon Mr Duncan:** No, I'm just participating in the debate. The opposition wanted this debate and I'm going to seek unanimous consent for question period. I've got at least 15 of our ministers who want to stay and answer questions today, in spite of the NDP's desire to filibuster itself and prevent proper questions from being asked and try to prevent the government from being held to account.

So in the short time I have left, I want to come back to the standing committee on estimates and whether or not they meet on Tuesday and Wednesday afternoons. If they

don't meet, I'd like to know where the NDP members plan to be. We're going to be here ready to answer the questions. That's our job now. And frankly, that's a more difficult job. I forget who it was who said, "It's easier to pitch than catch"—

**Hon Mr Bradley:** Larry Grossman.

**Hon Mr Duncan:** Larry Grossman. They have an important role to play. Their job is to hold the government to account. You will see, looking down on the opposition, the figure of the hawk. The hawk is in this House to say to the opposition, "You must pursue them vigorously." This kind of tactic where they filibuster themselves is incomprehensible on the part of the government. We prided ourselves in opposition on trying to be an effective opposition in the context of the rules that were present in the day.

I'm glad this filibuster on the part of the NDP against itself is coming to its timely end. It's an unfortunate waste of parliamentary time, but if they choose to do it, there's nothing we can do to stop them from doing it. With that, let me conclude by saying that the NDP have voted for this motion on numerous occasions in the past. Our members are prepared to sit on these committees as quickly as can get them there. I know that the official opposition, as difficult an adjustment as it is for them right now, are prepared to sit on these committees and want the opportunity to hold the government to account, want the ability to ask questions. I just wish that the third party would quit filibustering itself. Let's get on with the business of holding the government to account.

**The Speaker:** Further debate?

**Mr Robert W. Runciman (Leeds-Grenville):** I'm not sure how much time I have.

**Mr Marchese:** You've got 20 minutes.

**Mr Runciman:** I want to, regrettably, participate, in the sense that we should be talking about issues like the record tax hike bill brought in by the Liberal government. We should be talking about their flip-flop with respect to hydro rates. We should be talking about the flim-flam game that they've brought forward with respect to auto insurance. But, regrettably, we're not talking about those substantive issues today. What we're talking about is a farce, with respect to whether or not committees may sit at specific times.

I want to say with respect to this that we understand the third party, the independent party, the NDP—which ever way you wish to describe them—are supposedly engaged in these disruptive tactics because of their failure to achieve party status. I want to put on the record the fact that when the Conservative Party was the government of the day, we made concessions to allow the NDP to become a recognized party in the House. You will remember that. Did the tactics change? We saw exactly the same kind of disruptive tactics when they received party status from us as a government that we're seeing today. To suggest that if they receive party status, their tactics or approach to the business of this House is going to be altered in any way, shape or form is simply not going to be the case.



The government House leader—in many respects I believe he is sincere about wanting to see this place operate in a more efficient way—referenced a number of the committees and the committee sitting dates. One that he specifically pointed to was the standing committee on government agencies, and he talked about the third party—the NDP—not being interested in holding the government's feet to the fire with respect to order-in-council appointments, patronage appointments made by the government of the day.

I want to put on the record that one of the significant concerns we have as the official opposition, with respect to these proceedings in the next four years, is the fact that the government—and this is a precedent, and an unfortunate precedent—has chosen to appoint government members as Chair and Vice-Chair of the standing committee on government agencies.

**The Speaker:** It being 4 o'clock, pursuant to standing order 30(b), I'm now required to interrupt the participation and put the question.

Mr Duncan has moved government notice of motion 12. Is it the pleasure of the House that this motion be carried?

All those in favour of the motion say "aye."

All those against say "nay."

I think the ayes have it.

Call in the members. There will be a five-minute bell.

*The division bells rang from 1558 to 1603.*

**The Speaker:** Mr Duncan has moved government notice of motion number 12.

All those in favour of the motion will please rise so that the Clerk can record your names.

#### Ayes

Agostino, Dominic	Duncan, Dwight	Peterson, Tim
Arthurs, Wayne	Flynn, Kevin Daniel	Phillips, Gerry
Bartolucci, Rick	Fonseca, Peter	Pupatello, Sandra
Bentley, Christopher	Gerretsen, John	Qaadri, Shafiq
Berardinetti, Lorenzo	Gravelle, Michael	Racco, Mario G.
Bountrogianni, Marie	Hoy, Pat	Ramal, Khalil
Bradley, James J.	Jeffrey, Linda	Rinaldi, Lou
Broten, Laurel C.	Kennedy, Gerard	Ruprecht, Tony
Brownell, Jim	Kular, Kuldip	Sandals, Liz
Bryant, Michael	Kwinter, Monte	Sergio, Mario
Cansfield, Donna H.	Lalonde, Jean-Marc	Smith, Monique
Caplan, David	Leal, Jeff	Smitherman, George
Chambers, Mary Anne V.	Levac, Dave	Sorbara, Greg
Colle, Mike	Marsales, Judy	Takhar, Harinder S.
Cordiano, Joseph	Matthews, Deborah	Van Bommel, Maria
Craiton, Kim	Mauro, Bill	Watson, Jim
Crozier, Bruce	McMeekin, Ted	Wilkinson, John
Delaney, Bob	Meilleur, Madeleine	Wong, Tony C.
Di Cocco, Caroline	Milloy, John	Wynne, Kathleen O.
Dombrowsky, Leona	Mossop, Jennifer F.	
Duguid, Brad	Patten, Richard	

**The Speaker:** All those against will rise.

#### Nays

Amott, Ted	Hardeman, Ernie	Murdoch, Bill
Baird, John R.	Hudak, Tim	Ouellette, Jerry J.
Bisson, Gilles	Jackson, Cameron	Prue, Michael
Churley, Marilyn	Kormos, Peter	Runciman, Robert W.
Dunlop, Garfield	Marchese, Rosario	Scott, Laurie
Flaherty, Jim	Martel, Shelley	Yakabuski, John
Hampton, Howard	Munro, Julia	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 61; the nays are 20.

**The Speaker:** I declare the motion carried.

**Hon Mr Duncan:** Mr Speaker, on a point of order: I seek unanimous consent to revert to routine proceedings for the purpose of holding a one-hour question period.

**The Speaker:** Do we have unanimous consent? No.

## ORDERS OF THE DAY

### AUTOMOBILE INSURANCE RATE STABILIZATION ACT, 2003

#### LOI DE 2003 SUR LA STABILISATION DES TAUX D'ASSURANCE-AUTOMOBILE

Resuming the debate adjourned on December 1, 2003, on the motion for second reading of Bill 5, An Act to temporarily freeze automobile insurance rates for private passenger vehicles and to provide for the review and regulation of risk classification systems and automobile insurance rates for private passenger vehicles / Projet de loi 5, Loi visant à geler temporairement les taux d'assurance-automobile dans les cas des voitures de tourisme et à prévoir l'examen et la réglementation des systèmes de classement des risques et des taux d'assurance-automobile les concernant.

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):** I want to speak briefly on Bill 5, An Act to temporarily free automobile insurance rates—"temporarily freeze." Up in the Madawaska valley we're talking about a temporary freeze as well. We describe that as winter. Lakes and rivers will be temporarily frozen, but I'm wondering, when the springtime rolls around, can we expect the effects that are being claimed in this bill to be disappearing like that springtime snow as well? What I see in this bill—and it has been said before—is that it is full of loopholes. Section 6 is as big as the black hole itself. It will not address the needs of consumers looking for insurance in the automobile sector.

I want to talk a little bit about Renfrew-Nipissing-Pembroke as well, because we're all drivers and insured people up there, too. At this time I want to thank the voters of the great riding of Renfrew-Nipissing-Pembroke for showing their confidence in me by electing me in the election of October 2. It was quite a victory because I was the only new Progressive Conservative member elected who was not running in a previously held riding at the time. So that made the victory somewhat historic.

1610

But I am not here on my own accord; I'm here because of the great support that I had from the people of Renfrew-Nipissing-Pembroke and the workers who took part in my campaign, particularly my wife, Vicky, and our children, Zachary, Heidi, Emily and Lucas. They were behind this effort 100%, I can assure you of that.



I also have to take an opportunity to thank my father and my mother. My father, as some of you will know, was a member of this Legislature from 1963 to 1987. Of course, he laid the groundwork for the political will that exists in me today and the desire to serve people, particularly my own constituents.

My father was known as a tireless constituency member who worked extremely hard for his constituents for some 24 or 25 years. I intend to bring that same kind of dedication and devotion to the job to ensure that the people of Renfrew-Nipissing-Pembroke are represented in this chamber. Having done that job for those years, he did it in spite of the fact that he was raising a family of 14 children and running a small business as well. That's the kind of dedication that existed in Paul Yakabuski.

During this campaign, there were many great stories. One of the things that was so nice was that I met two gentlemen—one by the name of Hayden Francis—who actually served in the same unit as my father overseas in World War II with the SD&G Highlanders. I also met two ladies who went to teachers' college with my mother some 60 years ago.

I'm going to tell you a little story that actually happened after the election. A couple of days after the election I got a call from a constituent, a fellow by the name of Alfie O'Malley. He was good friends with my father all of his life. He wanted me to drop over because he said he had a token for me. When I went over to his house, Alfie sat me down in his living room and said, "John, I want to tell you about a visit that your father paid me in 1986." He said that my dad came over to see him and they were chatting. At that time, it had been decided that the riding was going to disappear in 1987 and my father would not be seeking re-election. They were talking about what might happen and who might be the new politician. Alfie asked, "Paul, do you think any one of your boys would ever follow in your footsteps?" I know that sounds sexist, but that's just the way it was asked. My dad said, "I don't know, maybe Mark, but, you know, that John fellow, if he's got himself a good woman." Well, I have that in my wife Vicky. My father went on to say to Alfie, "If one of my boys is ever elected to this office, I want you to give this to him," and he presented Alfie with a pair of Ontario cufflinks, the black ones with the silver trillium on them. Alfie gave me those cufflinks that day, on October 9. He had had them engraved, "Congratulations, John, MPP RNP," and the date, "October 2, 2003, Dad."

That's one of the beautiful stories that I have to bring from that campaign and the forethought that my father may have had that someone from his family may have followed him here.

I want to talk a little bit about the history of the riding as well. Tom Murray served the riding from 1929 to 1945. Tom Murray also came from Barry's Bay. Tom Murray was the grandfather of my predecessor, Sean Conway.

In 1945, James Shannon Dempsey was elected as the member for Renfrew South. James Dempsey was most

famous for the Dempsey act, which returned the pine to the farmers. He died in October 1955 and was followed by James A. Maloney, who was known as an absolutely tremendous debater, one of the finest in this House, and one of the most powerful men in the Frost government. Jimmy Maloney died on September 30, 1961, and was replaced by Leonard Quilty, a Liberal member. Leonard Quilty was the member for one year, until my father was elected on September 25, 1963. I had the pleasure this past year, in 2002, of being the co-master of ceremonies with Leonard Quilty's son, Mike, at the 100th anniversary of the Eganville Leader. The Eganville Leader is one of our local papers. I tell you, folks, there is a copy of the book *Reflections of a Century* here in the legislative library, and I urge you all to partake of the wonderful information and historical references to all of Renfrew-Nipissing-Pembroke in that book.

Of course, my dad served from September 25, 1963, to July 31, 1987, and incidentally, that was also the day that David Peterson called the election. So essentially, my Dad died in office and the riding disappeared on the same day.

Sean Conway, my immediate predecessor, was elected to this House in 1975 for a different riding, the riding of Renfrew North. As the ridings amalgamated with redistribution in 1987, he became the member for the entire county of Renfrew, or the best part of it. Sean was known on both sides of the House as one of the finest orators to ever grace this chamber, and I know we have some big shoes to fill in that regard. We don't expect to match him, but we're going to do our best to match his work for his constituents. I do take my hat off to Sean, because his record of 28 years in this Legislature stands as a record for any member from our neck of the woods.

Our riding, Renfrew-Nipissing-Pembroke, has a slogan: "Naturally Wonderful." Renfrew county has over 300 pristine lakes feeding four major river systems. We actually produce a significant amount of Ontario's hydraulic power, with stations on the Ottawa and the mighty Madawaska River. Some of our big industries are lumbering, such as Murray Brothers, which also celebrated its 100th anniversary in 2002, and of course was started by Sean Conway's grandfather, Tom Murray, who also served here as the member from 1929 to 1945. Also, I might point out that Sean Conway is a cousin of mine, so there's quite a family connection in Renfrew-Nipissing-Pembroke.

Some of our other big mill operators in Renfrew county—McRae's, Hokums, Gulick's, Neuman's, Shaw's—and some of our smaller operators—Earl Sarrs, Donny Etmanskie, people like that—provide a great deal of the employment for the people in my riding.

We also have a big tourism industry, and with my new appointment as the critic for tourism for the official opposition, that is something that I'll be taking a great deal of interest in, because our economy is affected tremendously by how many tourism dollars we can bring into our county. We have some beautiful resorts on both the Madawaska and the Ottawa rivers, the Bonnechere.



We have the Bonnechere caves; we have so many wonderful attractions. I would urge each and every member of this House on all sides to make an effort within the next year to get up to my riding and visit some of our beautiful attractions. You will not be disappointed. I'll show you around myself, if the House is in recess. Give me a call; I'd be glad to be your host.

I have some questions about rural Ontario. I have some concerns about rural Ontario. In the throne speech, I never heard a word about rural Ontario, and I'm worried about what this government has in store for my constituents. We hear them talk about a new deal for municipalities, but I hear that a new deal for municipalities translates into a new deal for Ontario's cities. I think that is important. I think that cities are extremely important. A strong Ontario needs a strong Toronto; a strong Ontario needs a strong Ottawa, Hamilton and London etc.

1620

But a strong Ontario needs strong rural support and strong rural communities as well. I'm worried about funding in rural Ontario. I'm worried about hospital funding for the Arnprior hospital and the Deep River hospital, who have expressed their concerns to me on a number of occasions about the level of funding that they're receiving—and all health care facilities in our county.

I'm concerned about something that happened just the other day. That is the transfer of the nutrient management file from the Ministry of Agriculture and Food to the Ministry of the Environment. This will cause great consternation among farmers in Renfrew county. The previous government did a tremendous job of working with that particular group of stakeholders in ensuring that their concerns were considered when they were taking steps with regard to nutrient management.

They have got to be shaking today, wondering if they'll have a voice at that table as this act progresses. It's something that I have grave concerns about, because they've been hoping for something, some further news from this government with regards to BSE. What are they going to get in their Christmas stocking? Sorry, nutrient management will now be the file for the Ministry of the Environment, not the Ministry of Agriculture and Food. That is going to make for a poor Christmas season for the farmers in my county.

The new deal for municipalities—and I want to talk about some of my municipalities. I want to congratulate all of the reeves and councillors who have been elected to municipal council in Renfrew county. There are 19 of them, ladies and gentleman. This is not a small constituency.

I want to congratulate Bill Croshaw from Head, Clara and Maria; Vance Gutzman from Laurentian Hills; Ann Aikens from Deep River; Bob Sweet from Petawawa; Jack Wilson from Laurentian Valley; Ed Jacyno is the new mayor of the city of Pembroke; Harold Weckworth, the reeve of North Algona-Wilberforce; Don Rathwell of Whitewater; Bob Johnston of Horton township; Sandi

Heins of the town of Renfrew; Paul Doyle of greater Madawaska; Raye-Anne Briscoe of Admaston/Bromley; Neil Stewart of McNab/Braeside; Terry Gibeau, the new mayor of Arnprior; Zig Mintha, reeve of Bonnechere Valley; Janice Bush of Killaloe, Hagarty and Richards; Norm Lentz of Brudenell, Lyndoch and Raglan; Jim Himansky of South Algonquin; and the reeve of my municipality, where I call home—Barry's Bay—John Hilbrant. I want to wish them the very best in the challenges that they face ahead.

I also want to pay tribute to some of the outgoing mayors who are not returning, some by retirement and some because the electorate has chosen otherwise: Len Shean, the town of Arnprior; John Doering, township of Horton; Bill Schweig of Madawaska Valley and also the current county warden; Arlene Felhaber of Bonnechere Valley; Paul Curtis, Laurentian Hills; John Murphy of the town of Deep River; John Frost of greater Madawaska; Gord White of the region of Whitewater, who incidentally has served on council as councillor and reeve for 40 years; and Russ Havelin of McNab-Braeside. These gentlemen also have grave concerns about where this government places them on the priority list with regard to the services and the support being offered rural Ontarians.

I want to talk a little bit about some of the concerns and some of the issues that these people have. Roads, infrastructure projects such as bridges—that we had in our platform—to take over the responsibility of bridges from municipalities: That's a big concern. In my riding there are over 250 bridges. This will be a major, major infrastructure headache for these municipalities in the county of Renfrew if the current relationship does not change, if the government does not do something more to support them, as these bridges need repair and refurbishing and rebuilding.

Highways—the extension of Highway 417, which the previous government saw fit to bring as far as the town of Arnprior, which you should be opening early in 2004: It's important for my constituency to see that that highway gets extended, so that Highway 417 doesn't end at Arnprior but goes all the way to Pembroke, to ensure that we can bring the kind of industries that will help bring economic growth to my riding over the next several years and decades to come. They have that argument that there are not enough people there to justify the bringing of the highway, but if the highway is there, the people will be there. We will see more industries established in Renfrew county because the infrastructure support will be there. So I'm urging the Minister of Transportation to work hard to find a way to ensure that Highway 417—incidentally, there was a motion brought forth yesterday to rename that the Pierre Trudeau highway. Whatever the name of that highway is eventually, I want to see that highway reaching Pembroke at some point in the future, so that the future of my riding, economically and in every other way, will be enhanced by the improvement of the infrastructure supporting it.

I want to talk again about how humbled and proud I am to be standing here today in this glorious chamber



representing the people of Renfrew-Nipissing-Pembroke. I must thank my colleague and friend Norm Sterling for pushing me a little bit to make the decision to go after the nomination back in October 2002.

It was actually on Thanksgiving Monday of 2002. My wife and I went for a drive. We must have driven for about 600 kilometres throughout the county, and up on the Kennelly Mountain Road I pulled over. We'd been discussing whether or not we were going to do this, because we had just gotten involved in real estate. We thought, "My goodness, are we ever going to plant our feet firmly on the ground again or what?" This was an opportunity that we had to give due consideration to. Up on the Kennelly Mountain Road, we pulled the car over and we looked at one another, and my wife smiled and said, "I know you want to do it. I want you to do it. I'm behind you 100%." That was when the decision was made. I want to thank all the people who supported me throughout the entire process, the nomination and the election. I know they'll be supporting me as I work for them for the betterment of Renfrew-Nipissing-Pembroke for many years to come, I hope.

**The Acting Speaker (Mr Bruce Crozier):** Questions and comments?

**Mr Peter Kormos (Niagara Centre):** I want to applaud the member for a very effective and impressive first-time speech in the Legislature. He showed class, he showed courtesy to his predecessor, notwithstanding that he and his predecessor don't come from the same political background and I suspect are at great odds when it comes to political perspectives.

As the next speaker for the New Democrats, you're going to hear from Shelley Martel, the member for Nickel Belt. She's going to be talking about this bill, Bill 5. She's going to be talking about the Mack truck loophole, the Boeing 707, the Concorde jet loophole contained in section 6.

Mr Colle's here today. He's here to listen to Ms Martel. He knows that New Democrats have important things to say about auto insurance. They've had important things to say about auto insurance way back to when New Democrats created a public auto insurance system in British Columbia, one that has thrived now for over 30 years and which subsequent governments, be they Social Credit or Social Credit-Liberal as Gordon Campbell's government is now, haven't dared tinker with, haven't dared dismantle. Because public auto insurance works, provides fairer premiums, more affordable premiums and it provides justice for innocent accident victims.

1630

The problem with this government's approach is that it's identical to the Tory approach—

**Mr Mike Colle (Eglinton-Lawrence):** Oh, come on.

**Mr Kormos:** Well, it is identical to the Tory approach. I watched both evolve. The language was identical. You could have superimposed them. You'd swear you shared the same little 1.44-megabyte floppy disk with the text contained on it.

You see, the private, for-profit auto insurance industry doesn't care about victims, doesn't care about drivers. It

cares just about profits. How does the insurance company make profit? You charge the greatest amount of premiums and pay out the least amount of benefits.

Get off this bandwagon. Public auto insurance, that's what New Democrats advocate.

**Mr Colle:** I congratulate the member from Renfrew-Nipissing-Pembroke on his maiden speech. He does represent a beautiful part of this province, great communities like Killaloe, Douglas, Pembroke, Calabogie. He's right; you should visit that part of the province. It's magnificent, affordable, with very warm, hospitable people. I couldn't agree with him more on that.

He's got big shoes to fill. I'm sure with his lineage, he's got a great start at it, given his dad's great contribution to this House for years. With the family behind him, I'm sure he's going to do his people proud over the years to come.

But the one thing about it—I was waiting for something about auto insurance.

**Ms Shelley Martel (Nickel Belt):** That's the next one.

**Mr Colle:** Is it next? Yes, this is a maiden speech; right. Sorry.

I know there's also family involvement in auto insurance. It's interesting—and I want to hear the member's comments later on about what we're going to do to fix this mess that his government created. For the last four years, the Conservative government sat on its hands and did nothing, never listened to people who were being hosed by ever-increasing auto insurance premiums left, right and centre. They wouldn't listen to people as they were saying, "Please fix auto insurance," and they did nothing in the last four years. Therefore, we've got a huge mess, but we're going to fix it.

Then the NDP talks about private and public auto insurance. You would know that one of the private automobile insurance companies in Ontario, Coachman, is owned by the NDP government of Saskatchewan. They own one of these big, bad, private automobile insurance companies called Coachman. It's owned by a government that's NDP, so they can't be bad. That one company is OK, though.

**The Acting Speaker:** The member's time has expired.

**Mr Garfield Dunlop (Simcoe North):** I'd like to take this opportunity to thank John Yakabuski, the member from Renfrew-Nipissing-Pembroke, for a very important and well-spoken maiden speech. Mr Yakabuski has become a good friend of mine already in the House here and there are a few things that I wanted to point out that were reflected in his speech. One is his strong commitment to his wife and children, his parents and his brothers and sisters, and a strong commitment to his riding.

He obviously knows that in order to be successful in that particular riding—he had two fairly good mentors previous to him with Sean Conway and with his dad, Paul Yakabuski. Probably there are not too many people in the history of our province who have had those types of predecessor just before them and those types of experienced people to look back on. Mr Speaker, you said earlier, and it has been reflected a few times here in



some of the comments, that it is a beautiful part of our province.

On behalf of our caucus, we want to welcome John here. We know that he will be a very valuable member of our caucus. We expect that in about 2028, we'll still see him here if he's following the predecessors previous to himself. We know already that John will be an exciting part of our team, and when he's Minister of Transportation he'll definitely get that road to Pembroke built in about four years' time.

**Ms Martel:** I want to congratulate the new member from Renfrew-Nipissing-Pembroke and welcome him to this Legislature and congratulate him on his victory. I can relate a little bit to what it must be like, having followed a father who was a long-serving member in this assembly too.

*Applause.*

**Ms Martel:** At one point Ms Smith will get to speak and I'll get to respond and I'll congratulate her too.

I thought it was interesting. I didn't realize that you were a cousin to Sean. That makes your job doubly hard because it's hard to follow in a father's footsteps and a long-serving cousin as well. So I wish you well in trying to make your own way and make your own mark.

I was hoping that you were going to talk a little bit about what your brother has to say about auto insurance because one of the funniest shows on Coren that I ever saw happened before the election. It was a couple of months ago, and your brother was featured and Mr Kormos was featured and there were two other individuals who were featured and the discussion obviously was public versus private auto insurance. They just all had a go at it. Your brother was valiantly trying to defend the industry to not much success because most of the people who were calling in related horror stories about how badly beat up they were feeling by this industry. I don't blame your brother for that. I think that is a general perception.

I think about the calls coming into my office right now. Not only are people being gouged, but frankly, they're really tired. They're tired of the disrespect that is shown them on the telephone. They are tired of the abuse that they are taking from their brokers or from insurance companies. They're tired of being trod on by a company, or a number of companies, that are frankly only interested in making big profits. The government is not going to be able to deal with that through this bill that keeps those private insurers in place, which is why I'm going to talk about public insurance.

But I've got to say that is the prevailing attitude, and that prevailing attitude is going to be very difficult to get away from if the private auto insurers continue to have control of this industry.

**The Acting Speaker:** The member from Renfrew-Nipissing-Pembroke has two minutes to sum up.

**Mr Yakabuski:** I'd like to thank the member from Eglinton-Lawrence and also the member from Nickel Belt for their kind words.

**Mr Dunlop:** Niagara Centre.

**Mr Yakabuski:** Sorry, Niagara Centre; my apologies. But I still thank you for your kind words, regardless of my bad geography.

I do want to talk a little bit about auto insurance for the next couple of minutes. I do want to talk about this clause 6 in the bill: "An insurer may apply to the superintendent for approval to charge rates that exceed the authorized rates if the insurer believes it is just and reasonable in the circumstances having regard to the insurer's financial circumstances, but the superintendent shall not approve the application unless the criteria in clauses (2)(a) and (b) are satisfied."

That is the big black hole that we're talking about. They talked about a Mack truck going through that and the member from Niagara talked about a 707 yesterday. But I think you've got a Zeppelin going through there because the more you read it, the bigger it gets. For whatever reason, the insurance company will certainly say, "if we're looking for rate increases, we need only to refer to clause 6 and say we're under special circumstances; we're losing money; we're about to go broke; we need to get that rate increase." I don't think this bill will have any effect on rates other than that freeze, like I talked about the weather—we're getting a temporary freeze as well and they call it winter. And that's about the same effect that this is going to have on insurance rates in the province of Ontario.

1640

**The Acting Speaker:** Further debate?

**Ms Martel:** It's a pleasure for me to participate in this debate this afternoon. I want to acknowledge that Mr Colle is here. I think that's important. I understand that he's been given quite the task. I don't envy him. I think that by the time this is all over he might wish that he didn't have the current task to sit down with all of these folks in the industry, the lawyers, the consumers, the auto brokers, and try and work out a system that will result in savings. I think, regrettably, at the end of the day we're not going to find any savings. That's not a reflection on you or your abilities, so don't take it that way. I think at the end of the day you're going to find that as long as this industry is being strangled by the private auto insurance companies, there aren't going to be any savings to be had. I'll get into that a little later on.

I want to start with the comments that were made by the minister when he introduced this bill on November 26. Let me just use this quote: "Today's bill, if passed, will freeze auto insurance rates for private passenger vehicles until January 23, 2004, at the rates that were approved on or before October 23, the day we were sworn in." So the purpose of the bill before us is to, in a temporary fashion, freeze rates until you and others can do some further work to see how you might reach your ultimate goal, which is, I gather, to reduce rates about 10%.

The problem that I see as I look at the bill—and it's not very extensive. I suppose that has something to do with the fact that it's a temporary freeze that you're trying to put in place. As I look at the bill and go to page



3 and look at section 6, I've just got to tell you I don't see how you're even going to be able to freeze rates. I agree with the member who just spoke and with Mr Kormos, who spoke last night, that the section 6 that appears in this bill is so big, so large, that every private sector company that comes forward and asks for a rate increase is going to get it. That's what's going to happen. You're not going to see a temporary freeze. You're going to see these private insurers lining up one after the other, coming before the superintendent crying poverty, saying why they can't continue to provide insurance at these so-low rates. The next thing you know, the superintendent is going to be granting increase after increase after increase to each of those companies, and your temporary rate freeze is going right out the window.

I think it's worth reading into the record the actual clause so that people understand how big the loophole is in this legislation, which will clearly allow the companies to circumvent your temporary rate freeze and get whatever kind of increase they want. The actual legislation, subsection 6(1), page 3 of the bill, is as follows:

"Application to charge higher rates

"6(1) An insurer may apply to the superintendent for approval to charge rates that exceed the authorized rates if the insurer believes it is just and reasonable in the circumstances having regard to the insurer's financial circumstances, but the superintendent shall not approve the application unless the criteria in clauses (2)(a) and (b) are satisfied."

What are those important criteria? They are the following:

"Criteria for approving higher rate

"(2) The superintendent shall not approve a rate proposed by the insurer or a rate that is less than the proposed rate but more than the authorized rate unless,

"(a) the insurer demonstrates to the superintendent's satisfaction that a rate exceeding the authorized rate is just and reasonable in the circumstances, having regard to the insurer's exceptional financial circumstances; and

"(b) the superintendent considers that it is in the public interest to approve a rate that exceeds the authorized rate."

Let me deal with (a), and I'm going to deal with (b) as well. Let me deal with (a) first, "having regard to the insurer's exceptional financial circumstances."

How many people have called my office to tell me that their insurance company is cutting off their auto insurance, arbitrarily cancelling their policy, and blaming it on September 11? How many? I get call after call in our office from people who have good driving records, no charges, no convictions, no fines, no change in terms of the number of vehicles they want insured, no change in the driver's status, but have just received a note or a telephone call from the broker saying that their insurance is being cancelled. They are being told that it's because the insurance company just can't make enough money. They're suffering financially because of the consequences of September 11—which is truly hard to imagine

to use as an excuse. But we're seeing it happen again and again and again, two years after the fact.

So it's not hard for me to imagine that these same companies that are arbitrarily cutting off people now, using September 11 as an excuse, will continue to try and ride that excuse and use it for all it's worth. I can see them before the superintendent now, trying to pretend that the loss in the stock market, which is what they're actually suffering from and which is actually causing a decline in their profits, is not that at all, but the declining financial circumstance is all somehow related to the problems around September 11.

The problem is, as you look at this whole section, there's nothing here that clearly points out what the superintendent is going to use, himself or herself, as criteria to determine that financial circumstance. Are they just going to take their word for it? Are they going to look at the bottom line? Are they going to try and figure out how much of a loss has been taken on the stock market? Or are they just going to go forward and say, "September 11—boy, it impacted a lot of the private insurers. It must be the reason. Well, I guess they are suffering from extenuating financial circumstances. I guess we're going to have to give company X that particular increase this time around." I can see it happening. People are being cut off for that very reason now. Those same companies go and make that same lame excuse before the superintendent and, goodness knows, they're probably going to get away with it.

Look at criteria (b). I've got serious concerns about criteria (b) as well. It says, "The superintendent considers that it is in the public interest to approve a rate that exceeds the authorized rate." What's going to be in the public interest? I foresee company A coming before the superintendent and saying, "It's too expensive for us to provide insurance in Ontario any more. If you don't allow us an increase above the authorized rate, we are not going to write any new policies in the province of Ontario any more." We see that happening in New Brunswick right now: two major insurance companies coming before the government, saying that they just won't write any new policies any more because it's just too expensive for them to do that. That's already happening in one of the eastern provinces. That's two major companies with many policies, two major companies that many people depend on.

What do you think is going to happen in the province of Ontario when these companies are faced with the same circumstance? Those private auto insurance companies are going to line up, head down to see the superintendent and threaten the superintendent that they will not provide insurance coverage any more in Ontario unless they get the rate increase they want.

**Mr Colle:** Oh, you can't threaten the superintendent.

**Ms Martel:** Mark my words, Mr Colle.

**Mr Colle:** I don't think so.

**Ms Martel:** Mark my words. They're doing it now in New Brunswick. What's going to stop them from doing it in Ontario? Absolutely nothing. They're going to do the



same thing here in Ontario that they're now doing in New Brunswick, and there's nothing in the legislation that's going to protect the public from those kinds of threats from big insurance companies. You watch how quickly the superintendent is going to be authorizing rate increases over the authorized amount because he's going to be worried that some of those companies won't provide insurance.

You know what we should say to them? "Then don't provide insurance. Then get out of Ontario. If that's how committed you are to the drivers of Ontario, out." But that's not going to happen. What's going to happen is we're going to see them line up, and we're going to see the superintendent give them those increases "in the public interest." Mark my words, Mr Colle. Mark my words.

**Mr Colle:** I am marking your words. What's the date today?

**Ms Martel:** Remember this day, and remember that they're already doing the very same thing in New Brunswick.

I listened to the minister in his statement say that insurance premiums have been rising out of control for years. Let me go back. I just want to go back to section 6 again. Here's the problem you've got: You can drive a truck through that section. My colleague from Niagara Centre said last week that it's the Boeing 747 clause. It's the black hole clause. As a consequence of having this in the legislation, I bet that you will not see temporary rate increases. You're going to see the superintendent allow increases under either section A or section B. What's going to happen after you try and do the temporary rate increase and that doesn't work, and you come forward with some of your changes?

1650

I know the minister hopes that you are going to be able to see a 10% reduction. He said, in his remarks on November 26, "Insurance premiums have been rising out of control for years and bringing them completely under control is going to take a little time." I have to tell you, Mr Colle, it's never going to happen. I'm not blaming you. I'm not going to blame your minister. I'm not even going to blame your government. It's never going to happen because our experience in government, and I regret to say this, in not bringing in public auto ensured that auto insurance delivered by the private sector continued to drive rates up. That's been the experience. It was the experience under the Peterson government from 1987 to 1990 when I was here and we were dealing with auto insurance. It was the experience under us between 1990 and 1995. It was the experience under the Tories for the last eight years, and regrettably, it's going to be your experience too. There's going to be nothing you can do about it.

The reason is—and I learned this after our time in government, watching us back away from public auto insurance—you will never be able to get the private auto insurance industry under control—never. Not with rate caps, not with threats, not with regulation—nothing. It is

a group that will not and cannot be regulated because they are not interested in providing affordable insurance and protecting drivers. That's not why they're in the market in the first place. They're in the market to make the most money out of the premiums that they can, and to provide the least in the way of services and benefits to drivers. That's why they're in the business. That's what they're out to do.

We weren't able to stop it in government. David Peterson wasn't able to stop it when he was in government. The Conservatives weren't interested in stopping it. You folks won't be able to stop it either. I regret to say that, but that is the case. So what you are going to see, despite your very best efforts, because I believe that you have the best of intentions as you start on this work—I do—is that you will be unable to find any mid-ground and you will be unable to find any way through regulations or through caps to bring this industry under control.

That's why during the election campaign we were very clear. Having had the experience in government of being unable to get this industry under control, we said, "The lesson we have learned is that very clearly we need public auto insurance in this province." If you look at the survey that was released by the Consumers' Association of Canada in about September 2003, it did excellent work looking at insurance schemes right across the country. What was clear in that very extensive review is that in the western provinces, in every category of driver and every category of vehicle, the cheapest rates were those found in the Western provinces that have public auto insurance. It's part of the reason why in British Columbia, for example, despite the election of Mr Campbell, there has been no move by that Premier to try and take out public auto insurance. It's part of the reason why in Saskatchewan, even under a Conservative government, there was no effort by that Premier at that time to take out public auto: because what has become clear after a number or years of the public auto insurance schemes is that they do provide fair benefits. They do so at a cheaper rate, and the package of benefits is comparable to those in the private system, or even better in some cases. You look at Manitoba, which also allows a limited ability to sue. That's because there is not the same incentive that drives the public auto insurance scheme. There isn't the need to gouge people, to rip people off, to raise their rates as high as possible to make profits. That incentive isn't there. What profit is made is put back into the system, either to increase or enhance the benefit package or to lower rates, or to do both. So what's driving the industry is different in both of those cases. It's very clear, as you go back to the study that was done by the Consumers' Association, that in every category of driver, every category of vehicle, the rates for those in the public sector were cheaper than those in the private. That's not going to change.

Despite your efforts to try and deal with this industry, despite your efforts to talk to them, despite the work you're going to do, despite your efforts to have a



temporary rate cap and despite your efforts to try and reduce rates, it's not going to happen because this is a group that doesn't want to be regulated and isn't going to be regulated. We found that out when we were in government. Regrettably, we did. The single biggest mistake that we made was to not have public auto insurance in Ontario. I say that to you honestly. That was the biggest mistake that we made: to not bring in public auto insurance. All of the experience in those jurisdictions that have public auto show very clearly how beneficial it is. No other government, regardless of their political stripe when they came to office, ever made a move to take the public system out and revert back to the private system, because they recognized the benefits. Voters in those jurisdictions recognized the benefits as well.

I think the other problem you've got has to do with the comments that I made in response to the member's comments earlier. People are really tired not only of being ripped off, of being gouged or of having their insurance arbitrarily cut off. They're really tired of the disrespect that this industry has shown them. How many people come into my office with their letter saying they've been cancelled, or relating to me the story of how they've been cancelled over the telephone, speak again and again to how disrespectful, how arbitrary, how curt, how discourteous are the people they have to deal with in the private sector. And they're told, "If you don't like our rates, go somewhere else." They're not even told that: "You're just cut off, go somewhere else. If you don't like what we have to say to you, shop around. We don't have to insure you. We don't want to insure you." It's that kind of arrogant attitude that unfortunately characterizes this industry. So they're characterized in two ways: really gouging, picking people's pockets clean and ripping people off; but also, a real arrogance, a real sense that they don't have to worry about drivers, they don't have to worry about people in Ontario, because people can just go somewhere else for insurance and they can just continue to jack up their rates for the clients they continue to have and make their money that way.

I'm not sure how you're going to try and cut through that as you try and deal with this industry over the next number of months. It's a serious issue for people. As much as they hate being gouged, they also hate the way they're being treated by people in this industry. It's gone on for far too long.

I say to Mr Colle, who was good enough to be here today to listen to the debate, I wish him well. I think he's going to try very hard. I've seen you working here in the past and I know you will try very hard. I think, regrettably, that you're going to discover exactly what we discovered: You can't regulate these people. You can't get them under control. You can't cap them, you can't do anything that will bring them under control and cause them to provide good insurance at affordable rates with a good benefit package to drivers in Ontario. It's not going to happen, and it's surely not going to happen in terms of a temporary rate freeze with the section 6 you currently have in the bill, which just allows for those companies to line up, cry poverty to the superintendent and the rate

increase will go into effect. Or they will go and threaten the superintendent and say, "We're not going to cover any new drivers in the province if we can't get this rate increase." The superintendent is going to have to cave and allow that increase as well. That's already happening in New Brunswick and it's absolutely going to happen here. Mark my words.

In closing, I wish we were here today not dealing with the bill that's dealing with temporary rate caps that will not work, and with a proposal that I know the government hopes will lead to lower insurance rates but won't. I wish we were here dealing with a bill on public auto. After our experience in government, I truly believe that public auto insurance is the only way to have affordable, accessible auto insurance with good benefits for drivers in Ontario.

**The Acting Speaker:** Questions and comments.

1700

**Mr Colle:** I was listening very attentively to the member for Nickel Belt, and I think she made some very good points. I appreciate her attempt to try and steer us in the right direction. But I do want to say very emphatically that there's discussion of section 6, which allows the superintendent to look at the financial viability of a company. That was put in there because some of the smaller insurance companies are not-for-profit, like the mutuals, which are mom-and-pop. Not-for-profit insurance companies are worried that if the government didn't consult with them, they would put these small insurance companies in rural Ontario out of business. I don't think that would be good for people of rural Ontario. We're doing it to protect those anomalies in the system. That's what it's there for, and we're asked by these small, not-for-profit companies to protect them from government being overly zealous in their attempts to control insurance rates.

Certainly we agree that private insurance in Ontario is under the microscope right now. It's true. People are at their wits' end; they want something done. That's why we are imploring everybody to co-operate in bringing down costs. Whether it's an insurance company, whether it's a provider of windshields for cars or whether it's a health care provider, everybody has to co-operate in bringing down these costs. If we don't, there are more drastic changes to come. That's the simple message.

It's interesting enough too to note that the consumers' association of Ontario does not support public auto insurance. They have told us clearly, "Fix what we have; we can't afford to spend \$2 billion on putting in a public system that may or may not work." They say, "Fix what we have; bring in some tough rules." This bill brings in some tough new rules to help people get good insurance.

**The Acting Speaker:** Questions and comments?

Well, the member from Durham was up first, but you two can work it out.

**Mr John O'Toole (Durham):** I defer to the senior member.

**Mr Norman W. Sterling (Lanark-Carleton):** Over the period of time that I have been in these halls, I've



seen auto insurance rise to the top on several occasions. I can remember back in the Peterson days when we went for a no-fault system of car insurance. As time passed, that system started to fail. We came in after the NDP had tried to tinker with it a little bit and we did some other readjustments.

Again we're at a stage in our history where some people in our society have found ways around the existing system. I think this is noted by the fact that there's an estimate that somewhere between 9% and 10% of what is being paid out by our insurance companies is fraudulent. This isn't small-time fraud; this is well-organized fraud and that kind of thing. So we have to address that in order to keep our insurance premiums in place.

But the notion that we would go to a public scheme as proposed by the member who was speaking earlier, I think, is folly. I think it's folly because essentially what happens in that case is governments are put into the trap that governments of our day have been put into with hydroelectricity. What happens is there's a transfer of money, essentially in terms of benefits and those kinds of things, from the general taxpayer into the scheme. I think that's wrong. I think we should leave this in the private sector, but we have to address some of the problems. I don't think this bill does; I think this bill is a bit of a sham, but I would look forward in the future to real alterations to the existing scheme.

**Mr Howard Hampton (Kenora-Rainy River):** I want to congratulate the member for Nickel Belt on quite an enlightening speech. I think the people of Ontario need to know that in fact Liberal leaders now in other provinces—the Liberal Premier in British Columbia—endorse public auto insurance. Even Jean Charest, the former Mulroney Conservative, now Liberal Premier of Quebec, endorses public auto insurance. Most recently, the Liberal leader in Alberta has endorsed public auto insurance and says it's time to have public auto insurance there. I will make a prediction for you that before the term of this government is out in three and a half or four years—we're going to find out the date very soon—you'll see public auto insurance probably in both Nova Scotia and New Brunswick. The reason that is happening is clear: because public auto insurance eliminates the 15% profit off the top of the bills. Where you have one company it ensures you're not spending all kinds of money on marketing. It ensures that you're not spending all kinds of money settling transactions between insurance companies. Instead of having 100 corporate offices with 100 executive salaries and 100 limousines and 100 expense accounts, you have one computer system, one corporate office, and the salaries in a public, not-for-profit system are much lower, all of which saves the consumer money.

The government says they're going to do it through the private sector, but I look at section 6. Section 6 will allow insurance companies, big and small, to drive a convoy of transports through the terms—

**The Acting Speaker:** The member's time has expired.

**Mr Jeff Leal (Peterborough):** I listened to the comments from the distinguished member for Nickel Belt.

One of the interesting things is, I deal with a small independent insurance broker in the city of Peterborough, Topping Insurance, a very reputable organization that treats their customers well. I look back at my premiums from 1987 to 1993: Under the Peterson bill, my premiums were stable. Then we had the NDP government adding \$300 million or \$400 million to the cost of insurance in Ontario. Let's look at that.

The member for Eglinton-Lawrence is going to go through an extensive consultation period to get to the core of these problems. I know that when he brings the package back there are going to be real reforms to insurance in the province of Ontario. This is a very progressive view.

I look at what the NDP want to do. During the election, I heard the candidate in Peterborough say, "Well, ladies and gentleman, we bring in public auto in Ontario—5,000 jobs." I would ask that person to look at Co-Operators Insurance, which had its headquarters in Peterborough, with predominantly female employees—gone. Your jobs are gone, out the door. Where are they going to go to work, I ask the member over there?

Frankly, we have a real opportunity over the next few months. We start with a temporary freeze, which this bill recommends, and then we go on to get to the core of the problem with auto insurance in the province. I believe there's a commitment to do it. Indeed, I know that with the Minister of Finance and his parliamentary assistant we'll indeed talk to the groups out there and come out with a scheme that is going to work.

I might add that I'm told that with public auto insurance we'd add a bureaucracy the size of the Ministry of Health. Even though our health minister is looking at it and running it very efficiently, can we add another bureaucracy like that to the government of Ontario? I don't think so. I think we have a real opportunity with this bill to start the process forward.

**The Acting Speaker:** The member for Nickel Belt has two minutes in summary.

**Ms Martel:** I want to thank everybody for participating. I wonder why the members think that if you have a public auto insurance scheme, you don't need people to staff up the public auto insurance scheme. Of course you do. You need brokers and you need people answering the phones. Some of those same people who work in the private auto insurance industry would be more than happy to work in a public scheme, more than happy. Of course a public scheme would need those people to work and provide auto insurance. What a silly argument to say that those people will have nowhere to work.

I say to the member for Eglinton-Lawrence, who tries to tell us that the reason we have a clause in here that says we have to look at the insurer's exceptional financial circumstance has somehow to do with small mom-and-pop operations in the mutual area, look, how are you going to tell those big companies who come forward, who have lost millions of dollars on the stock market, who can show that they have had financial loss, that they don't rate an increase too? Of course they're going to be



able to show you their losses. They may not have anything to do with auto insurance. They may have everything to do with stock market losses, but they can show a financial loss too. Believe me, Mr Colle, they are not mom-and-pop operations. You've just got the door wide open. There's going to be no way for the superintendent to discriminate against financial circumstances for small and big. Anybody who can show a loss is going to be allowed to have an increase, and that's what is going to happen.

1710

Any one of those companies that comes forward and threatens the superintendent and says, "We're not going to provide auto insurance in the province unless you give us our rate increase," is going to get a rate increase too. The superintendent is going to say, "It is in the public interest to ensure that we have many companies providing auto insurance, so give them the rate increase. Let them gouge the public as much as they want. We don't care, because we don't care how much money they make."

I know you hope this is going to work. We're going to be back here a year from now and people are still going to be gouged by private insurance companies.

**The Acting Speaker:** Further debate?

**Mr Kim Craiton (Niagara Falls):** It's a pleasure to stand up in the House for the first time and have the opportunity to speak, particularly on this important bill.

For the information of all the members here, and of course to all the people out in Niagara Falls, Niagara-on-the-Lake and Thorold South, the riding that I represent, my sincerest thanks for all of their support and for allowing me the opportunity to represent them here. Prior to that, I had the opportunity to represent the people of Niagara Falls as a member of city council for 13 years.

I would also like to take a minute to recognize the former member of Parliament, Mr Bart Maves. I'm always one of those people who respect politicians no matter which side of the House they're from, because I think we all realize that we're here for the right reasons. There may be some different views, but Mr Maves worked hard on behalf of the people in my riding, so I did want to recognize him for that.

In addition to that, I would like to mention to the House that Niagara Falls is one of the important communities in Ontario. It is the home of hydro and it plays an important part in the generation of hydro here in Ontario. I was pleased that we had the opportunity earlier this week to have the confirmation of Beck 3 by the Minister of Energy. That should be coming on board. I would also like to take the opportunity to recognize a former member of this House, Mr Vince Kerrio, who was also a minister in the House and was the one who spearheaded the concept of Beck 3. Unfortunately, two governments came on board after him and never followed up on that, so I'm pleased that we're going to take that initiative.

Niagara Falls is kind of unique in that it is home to a tourist industry, and a very successful one. I was really

pleased and I think the workers in our area are really pleased with the fact that the minimum wage is being increased and that there is an end to the 60-hour work-week.

I'm also pleased for the wine industry that we have in our riding. It's a \$1.8-billion industry. We have some excellent, world-class winemakers and vineyards in our riding.

As a new member of provincial Parliament, I want to assure you that I take my role very seriously, as we all do, and I will work particularly hard for the residents of my riding.

As I stated earlier, our riding is truly blessed because we have tourism as well as industry. We are an economic generator for the province, and in fact for the whole country. I'd like to take a moment to invite all the members of the House who are here and those who aren't here, and all the people who are watching throughout Ontario and probably throughout the world, because Niagara Falls is one of those cities—there are three things that we're recognized for: being the honeymoon capital of the world, Niagara Falls itself, and the most famous address in the world. No matter where you go, when you say Niagara Falls, it's recognized. So I wanted to make sure I invite everyone to take a few minutes to come down to visit Niagara Falls, to visit the Niagara Parks Commission and look at all the attractions. Take a ride on the wild rapids, especially my colleagues over on the right. Visit the hotels, the restaurants, the vineyards. Shop in Niagara-on-the-Lake. In Niagara-on-the-Lake, if you haven't had a chance, get in to see the Shaw Festival. Of course we have some world-class golf courses. I'll take the time to join anyone who is interested in coming down and playing on our golf courses.

I'd like to speak specifically, though, on the bill that's before us. One of the things that you obviously need to have insurance on is a vehicle. I can remember sitting on city council when we, in a state of shock, got notification that our driver examination centre in Niagara Falls was being closed. No matter how many letters and how much lobbying we did to the previous government to say that Niagara Falls should have its own driver examination centre, that we shouldn't have to travel down to St Catharines, that our seniors shouldn't have to make that long trip, or our young kids going for their licence for the first time and finding they're going to have to wait six months or seven months to have the opportunity to take their test or have their test renewed—unfortunately, no matter what we said to the PC government, we lost our driver examination centre. I want to make that point, because that was a very frustrating time for us on city council.

In respect to the bill that's before us, Your Worship—Mr Speaker.

**Hon Steve Peters (Minister of Agriculture and Food):** Your Worship?

**Mr Craiton:** I generally say "Your Worship," and I apologize for that. I'm so used to saying it at city council.

**The Acting Speaker:** I'm a former mayor, so that's OK.



**Mr Craitor:** Then I've said it to the right person.

I think when all of us were campaigning—I particularly heard over and over when I was knocking on doors, “What are some of the things that you’re going to do?” In fact, they would tell me some of the things they wanted us to do. One of the things was automobile insurance. What I said to them was, “Here’s what we’re not going to do first of all: We’re not going to do what the NDP did, and that’s nothing.” They had the opportunity, as we all know, to implement something that they consistently speak on, and that’s public automobile insurance—never happened. They made all types of excuses for it, but it never happened. Now I have to sit here on this side and listen to the rhetoric again that it should be.

In addition to that, I want to just give some statistics that I share with the people in my riding of things that never happened when it came to reforms for auto insurance. The rate increases that took place: In the fourth quarter of 2002, there was a 9% increase in auto insurance; first quarter of 2003, a 7.3% increase; the second quarter of 2003, an 8.5% increase; and finally, in the third quarter of 2003, an 8.2% increase. What am I saying? I’m saying that the previous government did nothing. They took no action. Just before the election they decided, “Maybe we should look into this because we need the votes.”

What we’ve done is made some commitments. This is just another one of the commitments that we’ve made. In fact, since we took office, we’ve made about 26 commitments so far, some of the things we said we would do and have done so far. This is one of them, which I’m proud of. Some of the other ones that we’ve committed to are the Commitment to the Future of Medicare Act, the commitment to eliminate the private school tax credit, the commitment to give the auditor new powers to examine the broader public sector, and the commitment to the recommendations—two of them—of the Walkerton report. This is just another commitment that we’ve made to try to ensure that people—and rightly so. I’m hearing from the other side that they’re frustrated. They feel that they’re being gouged. They want some type of action to be taken.

In fact, I have in front of me a clipping from the Niagara Falls Review—that’s a local paper we have—that says, “Auto Insurance Promise One That Must Be Kept.” When you read the editorial, they’re saying to us, “Take some action. Do something. No one has done anything prior to this, as far as auto insurance.”

That’s what we have before us today. We have a party that has said we’re prepared to do something. It may not be the perfect solution, but it’s a start in the right direction. That’s what we’re committed to.

I just want to mention some of the things that are in the bill that’s being proposed. Under this bill the auto insurance rates will temporarily be frozen for private passenger vehicles, at the rates in effect since October 23. Approval for applications would be suspended under the auto insurance act for the time the bill’s in force. Every insurer affected by the freeze would have to reapply to

the superintendent of financial services by January 23. In fact, I will tell you I just got off the phone today, calling back a couple of my constituents who called me about this bill. I read what I’m going to continue reading to them. They were quite pleased. As one lady said to me, her rates have jumped, “But at least,” she said, “I know there’s going to be something that you’re prepared to do to try to intervene so these rates won’t continue increasing.”

**1720**

In addition to what I’ve said, “No rate or risk classification changes may be implemented without the superintendent’s prior approval”—or not. The other thing that I think is significant is that it says, “Insurers that fail to comply with the bill may be prosecuted, may have their licences suspended or cancelled under the Insurance Act and may be ordered to refund premiums charged in excess of authorized rates.” That is very strong language, and I’m pleased to see that’s in the bill.

The other thing that’s taking place is that my colleague MPP Mike Colle is meeting with different groups throughout Ontario to come up with different ways to find savings. I will tell you that I’ve had calls, even from within my riding, from some of the insurance groups who have asked to sit and talk with me, some of the practitioners in my riding who have some ideas as well and some people who were formerly in the insurance business who have retired. I’ve agreed to sit down with them, and I’ll be happy to forward those comments to my colleague Mike Colle as well.

There is no easy solution to this. In 13 years in politics, you realize that you’ve just got to have the courage once in a while to stand up and take some initiative. I guess the easiest thing to do, and I’ve seen it over and over, is constantly criticize. I certainly didn’t come to this House to constantly criticize; I came to this House with the intent to try to make a difference. That’s what this insurance bill is all about. This insurance bill that’s before us, I believe, compared to what has happened in the past, which was nothing, is significant. I think if all the parties would give it an opportunity to go forward, to listen to it, to have it come back and really have a meaningful debate as opposed to constantly criticizing it, maybe we can come up with—and I know we will—solutions that will have some positive impact on insurance rates, at least initially.

I’ve heard the comments, and I think we’ve all had those calls, about how frustrating it has been dealing with insurance companies. It seems they don’t want to listen. Even some of my colleagues who are in the insurance industry have talked to me, and they’re perking up, if that’s the right word. They are now becoming concerned because we are taking some initiative. The language in the bill is quite clear, and they’re becoming concerned that we are looking into coming up with ways of implementing savings to consumers.

I would also suggest to you that there are a number of groups that have been adversely affected by the insurance rates. I think we all have, and I constantly have, seniors



coming into my office, calling me and telling me about the increases they've incurred for no reason at all. They haven't done anything differently, their driving record hasn't changed in any way, but suddenly they've gotten their renewal notices and their rates have gone up.

One lady I spoke to today in fact was a former member of council; not of mine in Niagara Falls but one of the other councils. We were talking for a while, and as I was explaining the bill to her—literally word by word because, being a politician, she really wanted to know what was in the bill. Initially, when she spoke to me, she was extremely upset, thinking that no one was doing anything, that a freeze had been implemented on October 23 by the Minister of Finance and that it still appeared that the rate increases were going to take place. When I explained to her that we had brought forward a bill to actually put a handle on these to make it a requirement that the insurance companies had to have the freeze from October 23 on, that they had to come back some time in January to meet to have their applications looked at by the superintendent of financial services, and that it would then be determined whether or not they would be able to have an increase or not, she was quite pleased. She was pleased because I'd explained to her that under the previous government they just met some time, whenever, July, August and September. They got their increases and that's the renewal notice that she had just gotten the end of October or early November. She had just received the renewal notice and that's the increase that she had.

In this situation she now realizes that for the next renewal there is some opportunity, some hope that we're going to be coming up with ways of cost savings and we're going to be making it mandatory that the insurance companies pass those on to consumers. She was pleased with the fact that we had taken the initiative to do something. That's probably the key point when I look at this bill, and when I've talked to the people in my riding, that at least we had the courage to come forward with something when nothing had been done with auto insurance for many years.

I've heard the stories as well—I have a number of friends whose children are getting on the road for the first time—and the difficulties they're incurring with high insurance rates. In some cases, the insurance is greater than the value of the cars they're purchasing. It's extremely frustrating and very disappointing when you hear those kinds of statements over and over from people.

What we now have is the opportunity to go forward with some really concrete legislation. The key to this will be trying to get this through the House as quickly as possible, getting the feedback that we're going to get through my colleague Mr Colle and then bringing it back, getting it passed and then moving forward with this. It is important. Auto insurance is something we all need. It's something that's mandatory in order to get to work, to go grocery shopping, to take your kids for a hockey game or to move anywhere in our city, in our communities, in our province. Many people need it for their livelihood as well.

I have many close friends who are truck drivers or taxicab drivers, who require automobile insurance, and they're all concerned over what's been taking place. I've talked to a number of those people as well and they're saying the same thing to me: "Thank you for at least having the initiative to come forward when two previous governments did nothing, took no action."

One of them had the opportunity and said they would. I think the NDP realized when they had the opportunity that it wasn't the pie in the sky that they thought. I think a lot of the information they're throwing out today is contrary to what they found out when they were in power, when they were going to go with public auto insurance.

Of course, my colleagues across from me on the left side, the Conservatives, had their opportunity. There were a lot of things they could have done in the nine years that would have been positive for the people of Ontario—the waiting lists in Niagara Falls to get in for emergency care, to see doctors. I remember when my doctor retired early, it took me a year and a half to find a doctor. Those are the kinds of stories of some of their accomplishments.

The insurance bill that's before us is a good step. It's a positive step. It's the right step, and it's an opportunity the people of Ontario are looking forward to. It's a bill that didn't exist before. No one did anything before and our party and all my colleagues around here have had the courage to bring it forward.

Of course, the other side will always tell you how wrong it is, it's the worst possible thing and we're not going to do anything with it. That's the easy way out. The easy way out is just to constantly criticize. The hard way is to say, "Maybe it's a step in the right direction. Why don't we see if we can work together and come up with some solutions for the people of Ontario, for those who need their car insurance, their truck insurance to make a livelihood, to get around in our communities."

I want to congratulate the Minister of Finance; I want to congratulate all of my colleagues who have worked on this bill. We've put a lot of time and effort in to present something to the people of Ontario that we sincerely believe will be the first step in bringing auto insurance rates under control, so that the auto insurance industry knows that this is a no-nonsense government that is prepared to stand up and work on behalf of the people of Ontario. I'm pleased to have the opportunity to be the lead speaker and tell you why I personally believe in and am going to continue supporting this bill.

1730

**The Acting Speaker:** Questions and comments?

**Mr Tim Hudak (Erie-Lincoln):** I want to commend the member from Niagara Falls on his remarks and welcome him to the Legislature as a fellow legislator. Certainly his predecessor, Bart Maves, served us since 1995, a good personal friend of mine as well whom I will miss. I say congratulations to Mr Craitor on his election victory. I know he has worked for some time on municipal council. I look forward to working with him too on



a number of issues that I think probably all parties will agree with in terms of advancing the needs of the Niagara Peninsula. Our ridings border. His southern border hits my northern border in the Fort Erie area. Things like the Niagara Parks Commission and helping out tourism and such—the Beck project certainly, if it comes to fruition, will be good news for all of us in the peninsula. So congratulations to the member on his maiden speech. I look forward to working with him.

I do feel that I'd like to bring two points forward. I think it's always tempting for new members particularly to say that previous governments did nothing. It's important to be cautious about that, because in fact when we came into office in 1995-96 we acted relatively quickly on the auto insurance bill and brought the rates down, through legislation, by 12.5%. So we do have a track record in that respect. We've brought forward changes as well to knock the auto insurance premiums down that I would hope this new government will implement. I think that will help drivers throughout the province of Ontario.

Whether they will actually come back in January, Mr Colle, with what I recall my local Liberal candidate saying was a 20% reduction in auto insurance rates remains to be seen. In fact, if folks at home in the Niagara or Dunnville area want to bring me, as their member, their bills come January to demonstrate whether in fact they did receive that 20% reduction or not, I would like to see that, and then call that to the attention of the responsible minister. I'm willing to give them the benefit of the doubt, but certainly the track record to date of broken promises gives me a bit of concern as to whether they can actually deliver on the 20% decrease.

**M. Gilles Bisson (Timmins-Baie James):** J'ai bien aimé le discours de mon collègue le membre de Niagara Falls. J'ai trouvé ça intéressant parce que ce qu'il a dit c'est que, comme moi, beaucoup des citoyens dans son comté viennent le voir pour dire : « Je suis en colère. Mes assurances ont augmenté. »

Avant, ils payaient moins pour les assurances. Aujourd'hui ils en paient beaucoup plus. Mais je dis premièrement, monsieur le député de Niagara Falls, qu'il n'y a rien là-dedans qui va arranger votre problème. Franchement, vous avez promis que vous étiez pour avoir une réduction de 20 % sur votre prime d'assurance, et dans ce projet de loi il n'y a rien qui mentionne qu'il va y avoir une réduction, numéro un, et numéro deux, regardez la section numéro 6. La section 6 dit que n'importe quelle compagnie qui veut rentrer une augmentation des assurances de cette année peut le faire simplement en disant, « Je n'ai plus d'argent. C'est devenu difficile pour une entreprise d'assurances. Peut-on avoir, s'il vous plaît, une augmentation? » Et l'augmentation est faite comme ça.

Moi, je pense que dans deux, trois, quatre mois, une fois que ce projet de loi sera passé, les citoyens chez eux, comme les citoyens chez nous et d'autres autour de la province vont dire, « Oh boy, I should have voted NDP », parce qu'à la fin de la journée, la solution libérale que vous donnez n'a rien comme solution pour le

problème qui existe déjà. Il y a seulement une solution, et c'est de faire ce que le NPD a fait au Manitoba, au Saskatchewan et en Colombie-Britannique : introduire un système d'assurance-automobile publique qui est gérée à but non lucratif. Pourquoi? Je vais vous donner un exemple. Un jeune homme qui demeure à Kapuskasing paie présentement 4 800 \$ pour sa Chevette de 1988. Au Manitoba, combien penses-tu qu'il paie, ce jeune homme? C'est 700 \$. Moi, je dis qu'au Manitoba ils font quelque chose de bien. C'est appelé, Vote NDP if you want your auto insurance fixed.

**Mr Mario Sergio (York West):** I want to compliment the member from Niagara, that wonderful area of our province, and the people of Niagara for sending to Queen's Park a magnificent addition who speaks from the heart. Today we have seen that the member has initiated the debate on one of the many very interesting and important bills which the government has introduced in its very short life.

Dalton McGuinty and the new Liberal government promised during the campaign that we would be doing something if elected, and we are already on the way to deliver that. I have to compliment the member for delving into the real heart, the intent of what the bill wants to do. It is important that we proceed with that. I hope that indeed we can proceed in such a way that we can implement the action, the intent of the bill, as soon as possible. It's a bill that indeed affects everyone.

Especially, very adversely, many of the seniors in our province are being affected, no less than the rest in our province, and many of them can't afford the increases that have been assessed. As even the member from Nickel Belt said, "We have tried. We couldn't do it." The Conservatives tried; they couldn't do it. Does this mean that we shouldn't look after those people who need relief? What about the small business people? I think they are crying for some assistance. Dalton McGuinty and the Liberals did promise it. We are acting on it. We will be delivering some relief to everybody in the province of Ontario.

**Mr O'Toole:** It's a pleasure to stand and first acknowledge the member from Niagara Falls. It's a very courteous remark that you made about Bart Maves, a good friend of mine and a hard-working member as well—quite disappointed. It must speak very highly of your competency, because I know Bart was quite up to the job.

In the remarks respecting Bill 5, I hate to admit it to you, but it's one more example where what you ran on is not exactly what you're doing. I know it probably comes as a bit of a shock, surprise, disappointment. Those are just three words that came to mind.

The starting point for discussion is usually to look at the history. In your policy paper, Lower Rates for a Change, I think the one thing that hasn't changed is the fact that you basically said one thing before the election and do something quite different after the election. What's really missing from this small, rather trivial bill is any substantive change. I'm anxiously looking forward to the consultations by the member from Eglinton-



Lawrence, whom I have a lot of respect for, but I think Dalton's made up his mind that he's not going to do anything.

I think of the victims of accidents. I think of some of the unnecessary agony that they are put through with these assessment centres. I'm just going to spend the few seconds that I have to say that if they really want to do something serious, they could think of the victims in auto insurance. These people are injured in accidents; these are children. The agony that they are put through with these designated assessment centres is a good example of the waste in the system, of having assessments done rather than providing people with real services. These assessments often cost as much as \$5,000 and provide no real relief for victims of accidents.

Let's keep in mind that you promised to lower the rate by 15%. What you did in this bill is promise to consult. I'm waiting for real, substantive change to make insurance affordable for all consumers in Ontario.

**The Acting Speaker:** The member for Niagara Falls has two minutes in summary.

**Mr Craitor:** I hadn't even stood up yet; thank you so much.

First I want to thank the member from Erie-Lincoln, and also congratulate him on his re-election here to the House. I also look forward to working with you. We have a very close relationship in the Niagara region, with all our municipalities and cities being so close together.

I also want to thank my friend from Timmins-James Bay, and thank him for the explanation he gave me in my favourite language. I had to put my earphone on to understand it, but I thank you for that.

Thank you to my colleague from York West—I really appreciate the personal comments you made to me—and of course my colleague from Durham.

1740

I think probably the most significant thing to me when I was pursuing the bill and putting in my comments about the importance of it was that we all know that right now auto insurance is the number one topic in all of our areas. The number one thing that I felt was significant was the fact that we are going to have consultations with everyone affected by the auto insurance rates, and that that is taking place. It will not only be the consumers, but the insurance industry as well as the practitioners and the people providing care in the case of automobile accidents. It's interesting because when you talk to them, they all have their—I was going to use the words "conflicting views"—reasons why they think the rates are high. But they always say, "It's not me." So our challenge will be to get all of them to work together and, if it's necessary and required, then we'll implement the legislation to bring the rates down.

**The Acting Speaker:** Further debate?

**Mr Ted Arnott (Waterloo-Wellington):** It is with some degree of mixed emotions that I offer the House my views on Bill 5, the Automobile Insurance Rate Stabilization Act, 2003.

First of all, I must confess that I am absolutely elated to be back to serve in this the 38th Parliament of Ontario. The October 2 election was my fourth one. As a candidate, I was confident in my team, certain that I'd served my constituents to the very best of my ability with my best efforts, and comfortable that my future was in my constituents' hands. However, this is not to say that I believed that we could not lose in Waterloo-Wellington. In fact, I must confess that I believed there was a chance we might lose. No seat in Ontario is the absolute preserve of any party, and the riding that I'm privileged to serve is no exception.

Although parts of Wellington county have been represented by Conservative MPPs without interruption since 1951—and I think of my predecessors John Root and Jack Johnson, who served in this place with great distinction over a period of some 30, almost 40, years—Waterloo county and, since the 1970s, Waterloo region, has been represented by distinguished members from all three of the major political parties. I think of people like the late John Sweeney, who represented Kitchener-Wilmot, sitting with the Liberal side; Mike Cooper, who represented the New Democrats for a period of years in the early 1990s; of course, the new mayor of the city of Waterloo, Herb Epp, who sat with the Liberals; and my predecessor Elizabeth Witmer, who served as the member for Waterloo North from 1990 to 1999 before redistribution.

All of us as MPPs, when first elected—and it's been interesting to hear some of the maiden speeches today and in recent days—come in here with an enthusiastic belief in our respective parties and a desire to make a positive difference in the lives of our constituents and the people of the province. Without exception, we strive to do our best and make the most significant contribution that our talents and our energy will allow. But the electorate is rightly demanding. High standards are expected of us, standards of industry, integrity, wisdom and forthrightness. The degree to which we exceed these high expectations can make it more likely that we as candidates can be elected or re-elected, but it is still no guarantee of success at the polls. I know of, and could list, numerous examples of good people who served in this House with distinction, who wanted to continue their public service but were swept away by the desire of change that reached a climax on October 2. But if we believe in our democracy and our constitutional monarchy and our pluralistic political system, we must accept the result of that election and conclude that, in the majority of ridings, the people wanted to give the Liberal Party a chance, and opted to see what they could do.

I say to my colleagues across the floor, congratulations on your success, but be forewarned. Our party in opposition was formidable from 1990 to 1995, and we are determined to do our job again in opposition, holding the government to account, combating your complacency, your self-satisfaction, your spin and your innate desire to tax and spend. While we concede that you have the right to govern and attempt to implement your



platform, we will offer, from this side of the House, an alternative course and we will debate you to demonstrate our platform's superiority over your program.

Secondly, I want to express my sincere appreciation to my campaign team and my supporters in Waterloo-Wellington who have sent me here once more. I feel very honoured to have received their trust and their expressions of encouragement and support during the month of September and since that fateful first Thursday of October, election day. I shall strive to be worthy of the support that I have received and the trust that has been extended to me by the people of Waterloo-Wellington.

This debate on Bill 5, which was introduced last Wednesday by the Minister of Finance, has highlighted once again the contentious issue of auto insurance, a perennial political football in recent years. What about auto insurance? Why does it keep re-emerging as a political issue significant enough to almost defeat provincial governments, as almost happened this year in New Brunswick?

The first thing people need to know about auto insurance is that it is a compulsory product. If you drive a car in Ontario, you need to have a valid insurance policy with a licensed company underwriting your liability as you drive. Because it's compulsory, the provincial government, in particular the Minister of Finance, has an obligation to regulate the insurance industry to ensure the protection of the public interest and the protection of the motorists—as we used to call them commonly, or drivers as we tend to refer to them today—so that drivers, as consumers of auto insurance, are protected as well.

Because it's compulsory, auto insurance needs to be affordable, not just to the average driver, but also to the low-income driver. In the small towns that I am privileged to represent, like Clifford and Drayton and Wellesley and Breslau, for example, and even in the urban areas of Kitchener, there are literally thousands of people who drive older, inexpensive vehicles because these are the only vehicles they can afford. For many, transit is not an option because it's not existent, certainly in small-town Ontario. Yet people still need to get to work, they need to buy their groceries, they need to run errands with their children and so on. Many are seniors on fixed incomes. They need their cars. Their cars are an absolute necessity, not a luxury.

Our insurance marketplace is comprised of more than 160 licensed companies that sell auto insurance in Ontario. All of these companies are private enterprises managed by, no doubt, good people who do their jobs as well as can be expected. Consumers, in some cases, buy their insurance directly from these companies and, in some cases, through a broker who acts as an intermediary. The broker is expected to represent the consumer's interest and tries to find the best possible deal for them amongst a number of companies that the broker may have a relationship with.

This is the system we have. Does it work? I think by and large most of us would agree that it does. Is it perfect? Evidently not, judging by the numbers of

complaints that we all as MPPs have received in recent months, as premiums have shot up in the range of 30% in the past two years alone and 20% in the past year, according to recent published reports.

The former government, led then by my colleague the member for Dufferin-Peel-Wellington-Grey, took decisive action earlier this year to determine the factors behind the increases and, engaging expert opinion, brought forth a plan to contain the insurance companies' costs and thus apply downward pressure on premium rates. In July 2003, the Ernie Eves government announced changes to regulations that complemented legislative changes passed in the budget bill of earlier this year. The effect of our changes was to streamline access to treatment for common injuries such as whiplash by introducing a pre-approved framework for treatment, improved benefits for children suffering serious injuries and restricted use of medical examinations by insurers in order to end duplication. We intended to prohibit unfair business practices by health care providers and paralegals and introduce a code of conduct for paralegals.

We followed that up with a white paper in July outlining additional steps that we proposed, including amending the deductibles that apply to awards for pain and suffering, directing the superintendent of financial services to review the designated assessment system, the existing and proposed fee schedules used by various health care providers treating auto accident victims, and the rules used by insurers to ensure they are not unfairly denying coverage to consumers. We attempted to establish a task force to work jointly with the Ontario Crime Control Commission to deal with auto theft and auto insurance fraud, as well as our plan to invite other provinces to share best practice information and address common cost pressures such as theft, fraud and rising health care costs.

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The effect of these changes, it was estimated, would assist the insurance companies to reduce their costs in the range of \$1.2 billion to \$1.4 billion. We encourage them strongly to pass along those savings to their customers. We forecast that auto insurance premiums might decrease in some cases by as much as 15% as a result of these changes.

We were also asking the insurance companies to undertake these steps voluntarily, but we sent a very strong signal that if they did not, if insurance companies didn't find the required savings and pass them on to customers, we were prepared to legislate rollbacks.

Very shortly thereafter, the writ was dropped and the provincial election ensued. The Liberal Party and its campaign articulated a plan to make changes to the auto insurance rules. They promised to bring in an immediate rate freeze and a 10% cut within 90 days of taking office and an additional 10% premium reduction for what they said was customized insurance coverage. They promised protection against unjustified rate increases. They promised no more designated assessment centres and instead suggested that family doctors could coordinate

the people's care. They promised to implement pre-approved frameworks for injuries, reduce excessive court costs, eliminate fraud and conflict of interest, protect and reward safe drivers, appoint an auto insurance watchdog, a rate shock protection plan—whatever they had in mind there—and identify \$650 million in industry savings. This was their platform; this is what they ran on.

I recall vividly a discussion about this issue at a number of all-candidates meetings in Waterloo-Wellington and the Liberal candidate promoting the policy of her party.

During the months leading up to the election campaign and since that time I have received numerous letters from constituents explaining their circumstances and in many cases offering good ideas to fix the problems which exist in auto insurance. I heard from Ian MacEachern of New Hamburg; Reg Small of Reg Small Hay and Straw, of Mount Forest; Donna Carmichael of Moorefield; Florence Thiessen of Salem; Mike Linseman of Kenilworth; Peter Hafemann of Wellesley; Wayne Moser of Fast Tire and Auto Service, near Waterloo; Robert Neal of Heidelberg; and Brad Ellis of Moorefield. The Minister of Finance has received copies of their ideas and would do well to consider the views of these thoughtful constituents of mine who took the time to write.

Today we see the results of the Liberal government's very first political pronouncement: a temporary freeze on rates. Bill 5 would provide the legal steps necessary to follow up on the government's October 23 statement, their very first decision after being sworn in to government.

Bill 5 "temporarily"—at least so the government says—"freezes automobile insurance rates for private passenger vehicles at the rates in effect on October 23, 2003 and suspends the approval of applications under the Insurance Act for rate changes while the bill is in force.

"An insurer may apply to the superintendent of financial services for a rate increase if the insurer believes that it is just and reasonable in the circumstances having regard to the insurer's financial circumstances. The superintendent shall not approve the insurer's proposed rate increase or a smaller increase unless the superintendent finds it is in the public interest and just and reasonable in the circumstances to do so, given the insurer's exceptional financial circumstances."

We've heard some degree of criticism about this provision of the bill. It's been said that you could drive a Mack truck or a Boeing 747 through it.

"Every insurer affected by the freeze must apply to the superintendent on January 23, 2004 or a day specified by the superintendent not more than 30 days after January 23, 2004 for approval of its risk classification system and rates. No rate or risk classification changes may be implemented without the superintendent's prior approval. The superintendent may approve a rate or require a rate to be reduced or otherwise varied.

"Insurers that fail to comply with the bill may be prosecuted, may have their licences suspended or cancelled under the Insurance Act and may be ordered to refund premiums charged in excess of authorized rates."

This is what the government indicates Bill 5 is all about. However, as has been pointed out by our party's critic, the member for—what's Jim's riding?

**The Acting Speaker:** Whitby-Ajax.

**Mr Arnott:** Whitby-Ajax, one of our party's critics who is an expert on auto insurance—this bill appears to be another page in what is fast becoming a veritable catalogue of broken election promises by this Liberal government. In politics, as in life, first impressions are lasting ones. The first impression of this new government has not been good. Ontarians have seen their new government deny, deflect, deflate, denigrate, depress—everything but deliver. The government members will find out very soon how quickly the goodwill of their brief honeymoon has evaporated. And when consumers realize that Bill 5 will have the effect of freezing rates at their current high levels, stopping in the middle of the process actual rate reductions which insurers have filed that would have provided for a 10% to 15% real reduction, they will conclude, as I have, that this government is not doing enough to reduce auto insurance premiums in Ontario.

With Bill 5, the Liberals are embarking upon another cynical exercise of responsibility evasion. The people of Ontario expected much, much more.

**The Acting Speaker:** It being very near 6 of the clock, this House will adjourn until 6:45.

*The House adjourned at 1756.*

*Evening meeting reported in volume B.*



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de l'Ontario



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**Legislative Assembly  
of Ontario**

First Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Tuesday 2 December 2003**

**Mardi 2 décembre 2003**

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers





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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 2 December 2003

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 2 décembre 2003

*The House met at 1845.*

### ORDERS OF THE DAY

#### BUSINESS OF THE HOUSE

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I move that, notwithstanding any standing order or special order of the House, there be a timetable applied to the consideration of certain business of the House as follows:

(A) Bill 2, An Act respecting fiscal responsibility:

1. At 10 minutes before the normal hour of adjournment on the day on which the bill is next called as the first government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment;

2. Upon receiving second reading, the bill shall be ordered referred to the standing committee on finance and economic affairs;

3. The standing committee on finance and economic affairs shall meet for two consecutive sitting days, commencing on the first sitting day following the passage of second reading for the purpose of public hearings and clause-by-clause consideration of the bill;

4. The committee may meet from 10 am till 12 noon and again following routine proceedings until 6 pm on each of the two days;

5. At 4 pm on the second day, those amendments which have not yet been moved shall be deemed to have been moved, and the chair of the committee shall interrupt the proceedings and shall cause there to be one final 20-minute waiting period for the purpose of calling in the members and shall then immediately, without further debate or amendment, put every question necessary to dispose of clause-by-clause consideration of the bill;

6. The committee shall report the bill to the House no later than the first sessional day that reports from committees may be received following the second day of the committee's consideration of the bill;

7. In the event that the committee fails to report the bill as provided in paragraph 6, the bill shall be deemed to have been passed by the committee and reported to and received by the House;

8. Upon being reported to the House, the bill shall be ordered for third reading, which order may be called on the same sessional day;

9. There shall be two sessional days of third reading debate on the bill;

10. At 10 minutes before the normal hour of adjournment on the second day, the Speaker shall put every question necessary to dispose of the third reading stage of the bill;

11. No deferral of any vote shall be permitted.

(B) Bill 4, An Act to amend the Ontario Energy Board Act, 1998 with respect to electricity pricing:

1. At 10 minutes before the normal hour of adjournment on the day on which the bill is next called as the first government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment; the vote on second reading may not be deferred;

2. Upon receiving second reading, the bill shall be ordered referred to the standing committee on justice and social policy;

3. The standing committee on justice and social policy shall meet at the call of the chair for two days for the purpose of public hearings and clause-by-clause consideration of the bill.

4. The committee may meet from 10 am till 12 noon and again following routine proceedings until 6 pm on each of the two days;

5. At 4 pm on the second day, those amendments which have not yet been moved shall be deemed to have been moved, and the chair of the committee shall interrupt the proceedings and shall cause there to be one final 20-minute waiting period for the purpose of calling in the members and shall then immediately, without further debate or amendment, put every question necessary to dispose of clause-by-clause consideration of the bill;

**1850**

6. The committee shall report the bill to the House no later than the first sessional day that reports from committees may be received following the committee's second day of consideration of the bill;

7. In the event that the committee fails to report the bill as provided in paragraph 6, the bill shall be deemed to have been passed by the committee and reported to and received by the House;

8. Upon being reported to the House, the bill shall be ordered for third reading, which order may be called on the same sessional day;

9. There shall be one sessional day of third reading debate on the bill;

10. At 10 minutes before the normal hour of adjournment on that day, the Speaker shall put every question necessary to dispose of the third reading stage of the bill.

11. The vote on third reading may be deferred.



(C) Bill 5, An act to temporarily freeze automobile insurance rates for private passenger vehicles and to provide for the review and regulation of risk classification systems and automobile insurance rates for private passenger vehicles:

1. At 10 minutes before the normal hour of adjournment on the day on which the bill is next called as the first government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment;

2. Upon receiving second reading, the bill shall be ordered referred to the standing committee on finance and economic affairs;

3. The standing committee on finance and economic affairs shall meet for two days at the call of the Chair for the purpose of public hearings and clause-by-clause consideration of the bill;

4. The committee may meet from 10 am to 12 noon and again following routine proceedings until 6 pm on each of the two days;

5. The committee's second day of consideration of the bill shall be completed on or before Tuesday, December 16, 2003;

6. At 4 pm on the second day, those amendments which have not yet been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall cause there to be one final 20-minute waiting period for the purpose of calling in the members and shall then immediately, without further debate or amendment, put every question necessary to dispose of clause-by-clause consideration of the bill;

7. The committee shall report the bill to the House no later than the first sessional day that reports from committees may be received following the committee's second day of consideration of the bill;

8. In the event that the committee fails to report the bill as provided in paragraph 7, the bill shall be deemed to have been passed by the committee and reported to and received by the House;

9. Upon being reported to the House, the bill shall be ordered for third reading, which order may be called on the same sessional day;

10. There shall be one sessional day of third reading debate on the bill;

11. At 10 minutes before the normal hour of adjournment on that day, the Speaker shall put every question necessary to dispose of the third reading stage of the bill;

12. No deferral of any vote shall be permitted.

(D) Opposition Day:

1. The official opposition shall be entitled to give notice of a motion for consideration pursuant to standing order 42;

2. The date for consideration of such motion shall be Wednesday, December 10, 2003.

(E) Government notice of motion number 10, motion to appoint presiding officers:

1. When government notice of motion number 10 is called, one sessional day shall be allocated to the debate;

2. At 10 minutes before the normal hour of adjournment on that day, the Speaker shall put every question necessary to dispose of the motion without further debate or amendment; the vote on this motion may be deferred.

(F) Government order number two, motion to take the speech of His Honour the Lieutenant Governor into consideration:

1. When government order number two is next called, one sessional day shall be allocated to the debate;

2. At 10 minutes before the normal hour of adjournment on that day, the Speaker shall put every question necessary to dispose of the motion without further debate or amendment; the vote on this motion may be deferred.

In the case of any division relating to any proceedings A through F, the division bell shall be limited to 10 minutes.

This was filed on December 1, 2003.

**The Speaker (Hon Alvin Curling):** I think that the member from Niagara Centre had a point of order.

**Mr Peter Kormos (Niagara Centre):** I appreciate Mr Duncan and Mr Runciman acknowledging that this is an unprecedented procedure and for purporting to borrow from the procedure in the British House of Commons. Note that it deals with six items before this House: three bills, two motions and then the opposition motion, speaking specifically of the motion of the official opposition.

If you take a look at the very beginning of the motion, you note that it was very careful to cite "notwithstanding any standing order or special order of the House." Of course, when I looked at it I thought, "My goodness, this is a time allocation motion—standing order 46." Standing order 46 can apply to both a motion and to a bill. But as well, of course, standing order 46 can only apply to a motion or a bill after that motion or bill has been debated for three sessional days. It cannot guillotine or curtail time until three sessional days have passed.

I acknowledge that in the case of Bill 2 we have had three sessional days of second reading debate; Bill 4, three sessional days; Bill 5: subject to correction, my notes around Bill 5 indicate that today was but the second sessional day. Yet this motion says that the next time Bill 5 is called, 10 minutes before the end of that sessional day it shall be put to a vote. So it purports to time-allocate Bill 5 before Bill 5 would otherwise be eligible for time allocation pursuant to standing order 46. At the very onset, it indicates that this is operating independently, because it operates notwithstanding other standing orders. In fact, the motion acknowledges, by virtue of saying that, standing order 46.

The authority, I trust, that the government House leader would purport to claim would be the British House of Commons. The government House leader, in his statement to the press, made reference to the standing committee on the Legislative Assembly's report on enhancing the role of the private member, of December 2002. The government House leader talks about the reference—because it certainly wasn't a recommendation of that report; let's be very careful. It was basically in an addendum to that report, where it was one of the things

that was mentioned or observed by members of the committee. It wasn't part of the recommendations. It refers to programming motions coming into existence in 1998 in the British House of Commons. But one should be careful, because one has to note that those programming motions in the House of Commons were the matter of consensus.

I acknowledge that we can do almost anything on unanimous consent. I want to assure you there is no unanimous consent in any way, shape or form with respect to this motion, and clearly no consensus. If there were unanimous consent, I then would not feel compelled to indicate that the House leader has to show some statutory authority for the motion. Without consent, though, the power, the right to bring the motion, especially in view of the fact that this motion contravenes standing order 46—and let's understand the history of standing order 46. We had what I call the "common law closure motion," which has existed for as long as I've been in a Parliament, and a great deal longer than that. That's where the Speaker utilized his discretion to determine whether that closure motion was in order, and that's something that you and I have had some experience with over the 15 to 20 years that myself and yourself have been here. The particular standing order was an effort to codify and extend the closure motion, because the closure motion just ends debate and the bill or motion moves to the next phase—obviously, more likely a bill. Standing order 46 talks about a scenario where, by motion pursuant to standing order 46, the government House leader can not only end debate but also determine how the bill flows through committee and then third reading. In other words, it can deal with closure in anticipation.

The British House of Commons, you should note, was compelled, when consensus was no longer capable and when there was therefore no unanimous consent around these programming motions, which appear to have first occurred in 1998, to adopt a sessional order in the year 2000 to provide a formal framework for these programming motions.

**1900**

If that type of sessional order or standing order were available to the government House leader here, and if this motion were in compliance with it, my arguments would be difficult to sustain. I put to you that there is no standing order to support this motion, there is no sessional order to support this motion and in fact this motion contravenes standing order 46, not that there isn't notice—of course there is notice—but it would impose closure, specifically with respect to Bill 5, where even standing order 46 couldn't impose closure.

With respect to the two motions, it would impose closure, in the instance of one, after but one sessional day of debate, and in the instance of the other, no sessional days of debate. That's the government motion purporting to appoint the Deputy Speaker, Deputy Chairs and so on. So this motion, I put to you, is out of order.

I suspect that a clever reply might contain a suggestion that there be the power of severance and that you could

sever the legitimate or valid portions from the illegitimate ones. But here I put to you that there are no legitimate portions, because even the references to sections 2 and 4 do not occur with reference to standing order 46. They say, "notwithstanding standing order 46;" they say, "in spite of or regardless of or with indifference to standing order 46." That is a critical distinction. The author of the motion wanted you to treat this as notwithstanding standing order 46. There's no way that this Chair, sir, can infer the application of standing order 46. In my submission to you, this motion cannot be severed. It is illegitimate. There is no root for it, there is no statutory foundation for it, there is no precedential foundation for it in this Legislature.

The effort to invoke the British House of Commons neglects to note that the British House of Commons' 1998 to 2000 process of programming motions was done with unanimous consent—consensus—and when that unanimous consent or consensus disappeared, evaporated, the British House of Commons had to create a sessional order which, as you know, had the impact of a standing order for the purpose of that session of Parliament.

This government wants, I suppose, to propose a motion creating a new standing order or sessional order. Then we debate that. But until that's debated and determined, this motion before the House is one that cannot be considered by this House. I'm asking you, sir, to rule it out of order.

I would ask you to refer to the standing committee on the Legislative Assembly report on enhancing the role of the private member, December 2002; I would ask you to refer to the standing orders; I would ask you to refer, if you wish, to the statement made public by the Honourable Dwight Duncan on December 1, 2003, written copies of which are available, and also the statement of Robert Runciman, MPP, Leeds-Grenville, press release for immediate release, December 1, 2003, which is in the public realm.

In completion, I would also ask you to understand that time allocation is a special limit on the rights of members to debate a piece of legislation. It curtails that right, it inhibits that right, it restricts that right. In that regard, I'm asking you to contemplate, of course, as well, standing order 1; in particular, standing order 1(a) and 1(b): "to ensure that proceedings are conducted in a matter that respects the democratic rights of members ... to debate, speak to and vote on motions, resolutions and bills." The impact of any time allocation motion is to curtail that right to debate. When it's done under standing order 46, I understand the route, but when the House leader, in this case, plucks it out of the air, the Speaker is then put in a position where he has to rule against it.

Those are my submissions. I would ask that you permit me the right to reply to any new matters raised by any other participants in these comments on this point of order.

**Mr John R. Baird (Nepean-Carleton):** On the same point of order, Mr Speaker: I'm pleased to have the



opportunity to rise and give comments on behalf of the official opposition to the point of order raised by my friend from Niagara Centre. I would like to preface my comments by saying that obviously it is the view of the leader of the official opposition and many members that the New Democratic Party be recognized as a recognized party in this chamber with its rights and privileges, but that's not what this is about, as the member for Timmins-James Bay says. That's a matter for the House to consider, and its not the issue before us, but I did think it was important to put on the record.

While we respect the position of the member for Niagara Centre and of the third party, it is the position of the official opposition that there is a case to be made for you to rule government notice of motion 13 in order. This is an abbreviated legislative session. It's only four weeks. Normally we would have come back in September and sat through until just before Christmas, but with respect to the fact that the elections were held in October, and obviously a reasonable period of time has to take place for transition, after extensive consultations with the government, our House leader, Bob Runciman, has agreed to a pilot project to timetable the business of the House to allow for expanded debate on the issues that are of legitimate interest to the people of Ontario.

My constituents didn't send me here to debate a motion about when we would debate the speech from the throne. My constituents didn't send me here to debate whether the standing committee on general government would meet on Monday or Tuesday. They sent me here to talk about the important priorities: job creation, economic growth, health care, education, levels of taxation in the province, the energy policy that affects all Ontarians, auto insurance—something that's important to people in Ontario.

This pilot project, which I think is reflected in this motion, schedules the business of the House for this small period of time that we sit in the fall of 2003.

For too long, debate in this place has lost much of its relevance. Governments of all political stripes, including the NDP, including the Liberal Party, including the Conservative Party, have limited debate for reasons of expediency, while opposition parties have used every loophole in the rules to conduct themselves in the Legislature, particularly with respect to dilatory purposes. I think what is important is that we act responsibly as an official opposition, the only recognized party at this stage, and that the government act responsibly. I think too often neither side wants to blink: "If we work with the government, they'll look good," or, "If we work with the opposition, we'll look weak."

Speaker, what you have before you today is an opportunity to continue the long tradition of Speakers of the Ontario Legislative Assembly in charting new courses for parliamentary reform. While not specifically referenced in the standing orders, this type of motion is no different from any other substantive motion as described under standing order 2, meaning that such a motion requires notice and that it must be fully debated. The context for

this debate about the admissibility of this motion—as the member for Niagara Centre says, "Well, they could bring in a change to the standing orders." I'm going to submit to you, Speaker, that that would require every bit as much debate as the motion before us. Every member of the Legislature will have an opportunity to debate this motion. You, sir, will have the privilege, the right to decide when you feel the House has had enough debate on this motion, much like you would on a change to the standing orders. So I'm going to argue that this is very equivalent to a change in the standing orders. Instead of having a motion to do this, you'd have a motion to allow them to do this. So the point made by the member for Niagara Centre is, in my judgment, moot.

Only after members of the Legislature have had the opportunity to debate this motion, to listen to the debate, whether they choose to participate or not, will the motion be put to the ultimate test of a vote by all members of the Legislature.

1910

Speaker, there is precedent for the timetabling of legislative business. I would refer you to a ruling of Speaker Edighoffer—whom I know you sat with—that he made on January 23, 1989, in response to a point of order with respect to the fixing of debate time on two government bills, known as time allocation, but for which no standing order existed at the time.

The then-Speaker recognized that not every procedural instance is covered by our standing orders. Indeed, as Speaker Edighoffer observed, from time to time the standing orders may be supplemented by special motions, such as the one presented today in the House that we're discussing this evening, to facilitate a better working of the House.

As Speaker Edighoffer said in his ruling, "[The standing orders] are passed by the House by a simple majority and may be altered, supplemented or deleted by a simple resolution in the same way."

Speaker Edighoffer ultimately ruled in favour of this motion, given that (1) the proper notice had been given regarding the debate of the substantive motion, something that the member for Niagara Centre doesn't contest; and (2) that it is always in order for the House to make the appropriate decisions relating to its procedures, which is exactly what is set out for debate with government notice of motion 13—the programming motion, as you may refer to it—based on the course on your ruling, Mr Speaker.

As I said before, a change to the standing orders is equivalent to the motion presented by the government House leader. I suppose it would be six of one or half a dozen of the other.

I would submit to you that proper notice has been given in this case, as government notice of motion number 13 appears in today's Orders and Notices paper in accordance with standing order number 53, and that it is up to members of this House to make decisions on how this place runs.

I did want to touch briefly, as did my colleague from Niagara Centre, for whom I have a great deal of respect,

on consensus. Consensus does not necessarily equal unanimity. He spoke of what happened in Westminster. Yes, indeed, there was unanimous consent of all recognized parties. I wish, politically, that the government would agree that members of this House would agree to give official party status to the New Democratic Party. I say that personally and I say that on behalf of the leader of the official opposition. That's how I feel; that's how the Leader of the Opposition feels. I can't in good conscience hold up issues with respect to the public agenda on that one point, however serious that point is. At Westminster they did have unanimous consent of recognized parties.

What the official opposition wants to do is debate this motion and have an opportunity for the House to render a verdict on it. I am indicating, on behalf of the official opposition, on behalf of my House leader, Mr Runciman, that we do support this resolution, which I think, with great respect, you should consider as you reflect on this issue in your ruling. We want to get on to debate the important public policy issues that the public has sent us to this place to do: to hold the government of the day accountable—which we couldn't do earlier today because of procedural issues, albeit they did follow the rules—and to debate the important public policy issues that are before us. In this session they are tax cuts, in this session they're about auto insurance rates, in this session they're on energy and how this government has broken every promise in the book on those issues. Those are the issues we want to debate. These red feet opposite are the feet that we want to hold to the fire on these important public policy issues.

This, in my judgment, Speaker, is a matter for the House to consider. We submit to you respectfully that the motion is in order and would ask your learned consideration of this important issue.

**Hon Mr Duncan:** I too would like to speak to this motion. I think it's an important point of order. I'd like to address some of the concerns that were raised by Mr Kormos and respond to them as well as to the issues raised by my colleague opposite for the official opposition.

You're being asked whether or not motion 13 is in order. We argue, sir, with respect, that yes, it is in order.

This motion is not time allocation or what used to be called a guillotine motion. I'd like to just address that substantively to give you some sense of why we are here and why we've put this motion. This is a motion to program a bill or, in the case of this, a series of bills and motions and special debates for the remainder of the fall sittings. It's designed to move the Legislature forward in a way that allows all members a full opportunity to participate in the important work in front of us. This process of programming motions evolved in the British Parliament, really since the mid-1980s, but particularly in the last five years, as a response to the draconian and heavy-handed nature of time allocation.

So this is not time allocation as contemplated in section 46 of the standing orders and used regularly

during the last Parliament. I should point out that in the last Parliament it was used where there was no committee time allocated and no third reading debate time allocated on most issues. This motion is the outgrowth of extensive discussions between the government and the official opposition in the British House. I'd like to quote from recent developments, a document entitled *Programming of Government Bills, Factsheet P10, Procedure Series*, Revised October 2003:

"The latest report of the Modernisation Committee was published in September 2002. This pointed out how programme motions have moved from a procedure for which there was broad agreement, to a process where it has become almost routine for the Opposition to divide the House;" that is, to vote. That is, there was not unanimity even though broad consensus may exist.

It's important to note that the official opposition has been involved in these discussions for close to three weeks, where we have literally sat down and programmed; that is, decided how many days they want on which bills, so the opposition in effect, for the first time in a very long time in his House, has had the opportunity to help set the House agenda. I think that's why the official opposition, via its press release and the statement of their finance critic here tonight, has so strongly supported this new opportunity. And we believe it is an opportunity, particularly for the opposition, to participate more fully and to help focus what we're going to debate. Too often in the past we would find ourselves in this House debating bills at length that were not necessarily controversial, although there may have been division, but in fact may have precluded us from debating other more contentious bills that were subject to time allocation.

As a result of the discussions we've had over the last three weeks, we've agreed to proceed on a trial basis with this pilot project taken right from Westminster, the British Parliament. Again, we want to emphasize that this is a pilot project. Once concluded, it will be appropriate, and indeed important, for all members to reflect on the results, particularly as our consideration of renewal of the standing orders is carried out by the Attorney General and the minister responsible for democratic renewal. It's our hope that in future discussions of this nature, the members of the third party will have the opportunity to participate in those discussions.

The important section for your consideration—I do concur with Mr Kormos on one point—is section 1 of the standing orders. Subsection 1(c) provides for contingencies where motions are introduced which are not specifically provided for in the standing orders. You are charged with deciding whether the motions are in order based on the democratic rights of members as referred to in the previous clause. That clause sets out four standards for determining whether the rights of members are being respected. They are:

"(i) to submit motions, resolutions and bills for the consideration of the Assembly and its committees, and to have them determined by democratic vote;

"(ii) to debate, speak to, and vote on motions, resolutions and bills;



“(iii) to hold the government accountable for its policies; and

“(iv) collectively, to decide matters submitted to the assembly or a committee.”

This motion meets that test, in the government’s view. It has been the subject of rigorous negotiation between the government and the official opposition. It provides for substantial debate in second reading, standing committee and third reading. In that regard, it’s important to note that Bills 2 and 4 have already had three sessional days of debate, and I should say that it is our intention to call Bill 5 tomorrow afternoon for its third day of sessional debate. Although we haven’t indicated that publicly until now, that is our intention.

1920

The motion itself provides for a further sessional day of debate before a vote on second reading, referring again to Bill 5. With such extensive debating time, it’s our view that the rights of all members, both the majority and minority, to express their views will be enhanced. It should be noted too, at this point, that by our calculations each member of the third party should have the opportunity to participate in each of the bills according to the standing orders—assuming, of course, there’s no ringing of bells and other dilatory tactics.

The member is right: The standing committee on the Legislative Assembly did consider this. There was no recommendation. In fact, it was the official opposition of the day, myself, who asked consideration of this, due to our frustration in the past with the way the old-fashioned time allocation motions were used. We think this is an important step forward.

I did want to say that I concur with the finance critic for the official opposition that we are here to debate and complete important business on behalf of our constituents. We are trying to show some flexibility and reasonableness, using a tool that has been developed in another Parliament with different rules than ours, on a trial basis. We’re delighted to have the support of the official opposition. The two caucuses combined, I believe, represent 95 members—excluding yourself, of course, sir, now that you’re on the throne.

We believe, given the consensus that’s been built up, that this motion is in order. We do not believe—we say it’s not time allocation. We have completed the sessional days that would have normally been completed at second reading, before it went to time allocation. We believe that this also provides for additional opportunities for the opposition. For instance, the standing orders, as they state now, would not allow an opposition day, which we have agreed to. The official opposition wanted that.

All in all, we think this is an important pilot project, one that we’re delighted to have the support of the official opposition on. My colleague the opposition finance critic referenced the notion that it’s similar to putting—we didn’t want to put it in the standing orders; we want to try it out by motion, which we believe is in order, and see how it works. Our hope is that in the future there will be consensus on these things, including the

members opposite, who would prefer to stall the House at every opportunity.

This, we believe, enhances the role of the opposition, provides for better debate and provides the opposition the opportunity to help set the course of debate. We think it’s a step forward. It’s a pilot project. The fact that the official opposition and the government agree on this, representing 95 out of 103 members, we think is almost consensus. We think it’s important. We think this will allow the House to focus on the issues that are important, allowing the opposition all the while to have more say in how much time is allocated between them.

We believe, sir, with respect—and I should say this is a debatable motion, as you know. Your ruling it in order will allow it, again, to be debated. The members will have the chance to debate it and finally vote, as to whether or not we proceed. We think it’s a worthy project. We think it’s an important step forward. We think it improves democracy in this House. I’m delighted that we’re joined by the official opposition in supporting this. We believe it’s an important step forward on a pilot basis for this Legislature to attempt.

**The Speaker:** On the same point of order?

**Mr Kormos:** Yes.

*Interjections.*

**The Speaker:** If your colleagues could be quiet, maybe you could hear me.

**Mr Kormos:** A brief reply, if I may.

**The Speaker:** OK, very brief.

**Mr Kormos:** Two things. I hear the government House leader saying they didn’t want to put it in the standing orders. Clearly, neither did the British House of Commons. That’s why they created a sessional order in 2000.

Secondly, the government House leader speaks of “almost consensus.” It’s like almost pregnant, if I may. Almost consensus doesn’t count. The reality remains that this doesn’t deal with a contingency, because we have a standing order that has been utilized oh so often that deals with time allocation, standing order 46. This is not a contingency; there’s a standing order. If the government doesn’t like the standing order, then you amend it or you replace it.

**The Speaker:** Thank you very much for the point of order. I’ve listened very carefully and I think you’ve put your case very well. Also, I have listened to the opposition and heard them very clearly, and, government House leader, you have put your case.

I’m going to ask for about a 20-minute recess for me to consider and come back with my ruling on this.

*The House recessed from 1925 to 1951.*

**The Speaker:** I’d like to thank the member for Niagara Centre, the member for Nepean-Carleton and the government House leader for their submissions with respect to the orderliness of government notice of motion number 13.

Let me say at the outset that the motion in question cannot be styled as a time allocation motion within the meaning of our standing orders. Standing order 46 sets

out the criteria under which an item of business is eligible to be subject to a time allocation motion, and not all of the items being dealt with in the government notice of motion meet those criteria.

In any case, the motion on the order paper does not purport to be a time allocation motion at all under our rules, as it is not to be moved under standing order 46. However, a question to be decided is whether a time allocation motion under standing order 46 is the only vehicle that exists to order House business.

When faced with a similar situation in which no standing order existed to provide for the timetabling of House business, Speaker Edighoffer ruled as follows on January 23, 1989, as the member for Nepean-Carleton pointed out in his submission:

"The House has adopted the standing orders which are the permanent rules for the guiding and the control of the House in the conduct of its business. The standing orders do not form a complete code of procedure for the House to discharge its functions. They may be supplemented from time to time by sessional orders or special resolutions to facilitate the progress of business through the House. The standing orders are not safeguarded by any special procedure against amendment, repeal or suspension. They are passed by the House by a simple majority and may be altered, supplemented or deleted by a simple resolution in the same way."

Speaker Edighoffer went on to note that in 1988 in the Canadian House of Commons, Speaker Fraser ruled that it is always in order for such a motion seeking to set out a special procedure to be introduced as it is always in order for the House to make the appropriate decisions relating to its procedures.

I concur with Speakers Edighoffer and Fraser. I do not consider it fatal to the orderliness of a motion that it sets out a novel procedure for which no specific standing order provision exists.

Where such a motion is brought before the House, it must be considered a substantive motion and subject to the rules which govern such motions. Standing order 2 sets out these requirements in the definition of "substantive motion," as follows:

"Substantive motion means a motion that is not incidental or supplementary to any other business of the House, but is a self-contained proposal capable of expressing a decision of the House. Examples of such motions are: the motion for an address in reply to the speech from the throne, the budget motion, want-of-confidence motions on allotted days, resolutions and motions for returns or addresses. Such motions require notice and must be submitted to the Speaker in writing when moved, before being put to the House for debate. No motion shall be prefaced by recitals or preambles."

I am of the view that the motion meets the procedural requirements of standing order 2. The motion before us is therefore a substantive government motion, not governed by debate under standing order 46.

Is the motion otherwise, though, abusive of the rights of members? I have considered the following issues in arriving at a decision:

Debate on this motion is not "artificially" limited and may continue for quite some length of time, until either (a) all members wishing to speak have done so, (b) the motion itself is time-allocated under standing order 46, or (c) a motion for closure is moved and permitted by the Speaker. Therefore, the threshold for debate time on this motion may be more extensive than a pure time allocation motion.

Further, in reviewing the provision for debate time on the six items, I note they are at least as generous as what recent history in this Legislature, under its current rules, suggests would occur separately on each of the items in the absence of time allocation motions or other procedures to shorten debate. If time allocation under standing order 46 is somehow the standard, or threshold, or litmus test if you will, then this motion is not lacking in that regard.

The motion provides one sessional day of debate on an Opposition Day motion, exactly what would occur otherwise under standing order 42. Indeed, the motion is making provision for an Opposition Day debate to occur when the standing orders otherwise proscribe such an event.

The motion also provides for one day of debate on two other motions—one providing for the appointment of the Deputy Speaker and the other presiding officers of the House, and one simply providing for an order to be placed on the Orders and Notices paper to provide for a debate on an address in reply to the speech from the throne. In my experience, and as the records indicate, these motions have typically been seen as pro forma housekeeping matters that have been agreed to without any debate at all. The timetabling motion therefore provides for more debate time on these two motions than has historically been used.

Finally, the representations made on this point of order convinced me that there is obvious support among the vast majority of members of this House for proceeding this way, this time. The two recognized parties have indicated support for proceeding this way, and the fact that this support comes from both sides of the House is a very significant element in helping me to arrive at a decision in this matter. While I must take into account the rights and the will of the minority, so must the rights and will of the majority bear at least equal weight in my consideration.

Therefore, in the circumstances before us at this time, and for the reasons stated above, I find the motion to be in order.

Mr Duncan moves government motion 13.

**Hon Mr Duncan:** I'd like to seek unanimous consent to allow my colleague, Mr Baird, the member from Nepean-Carleton, to speak first. My understanding is he has an engagement tonight. If it's the House's pleasure, I'd like him to be able to speak first.

**Mr Kormos:** No.

**Mr Howard Hampton (Kenora-Rainy River):** No.

**Hon Mr Duncan:** OK. Fair enough. Doesn't that say a lot?



I'm pleased to join this debate tonight. I want to begin by saying that this is a pilot project that has been agreed to by the official opposition. We believe that it will enhance the quality of debate in this House. We believe that this programming motion will ensure that members of the House on both sides get to have more say in setting the agenda. It's an important decision.

I noted in your decision tonight that the members of the third party were effectively arguing for less debate on all of the items that we put before the House, which is really hard to believe. Here we go again. They're filibustering themselves, trying to do themselves out of the opportunity to hold the government to account.

This is a new standard. It is a pilot project. It is one that we think we can work with and extend in the future. It's one that has been tried with some success and, I might add, with some failure at Westminster. It is something that I believe both sides of the House—the official opposition and the government side—believe is worth trying (a) to help improve the quality of debate and (b) to allow more opportunity for members of the opposition to participate.

2000

This effectively makes it unnecessary for the government to use time allocation, the so-called guillotine motions, those things that many of us came to abhor in the past, and replaces it with a modern tool that was designed by all-party consensus in Great Britain, that allows the opposition—for instance, let's take this particular session. The official opposition wanted to focus on the tax bill. Using the time allocation motion, the government could have presumably cut off debate, no third reading debate, no committee and spent more time on, say, a less significant piece of legislation. This programming motion allowed the opposition to say, "We want more time on this bill because it's important to us." Now we don't agree with the official opposition's position on that particular bill, but this gives them the time to have more say in what we talk about on the floor of the House. I should note that 100% of our bills to be passed this time will not have been subject to time allocation, will have committee hearings and will have third reading debate.

Why are we celebrating that? The fact is, that hasn't been the case here for a very, very long time. I see my friend Mr Arnott across the way. He and I had—

**Mr Ted Arnott (Waterloo-Wellington):** The member for Waterloo-Wellington.

**Hon Mr Duncan:** I apologize. The member for Waterloo-Wellington and I had the opportunity to attend Westminster last year, and we had the opportunity to meet with the people who helped design this. At the time, we felt it was certainly worthy of pursuit in this House. We think it saved the taxpayers a lot of money. We think it was worth a lot, because now what we have is a better functioning Legislature where, frankly, people who are just here to make a scene and have fun can't tie the place up.

We think the business of the House is serious. We think that the opposition should have the right to have

more say in setting the House calendar and what gets debated. We spent close to three weeks at the staff level, among the opposition House leader and the government House leader and the whips, negotiating—literally negotiating—the day-to-day calendar of what we wanted to do. There was give and take. The opposition wanted an opposition day, and you correctly pointed out, sir, in your ruling that they wouldn't have otherwise had that under the existing standing orders, given the time frame we have. But these are parts of the give-and-take we would like to see returned to the House, so that the members of the House—the individual members, whether they're opposition, government members, government backbench members, members of the third party—will have more say.

Let me say that it is my hope that in the spring session, we'll have the opportunity to sit down with all members of the House to talk about these types of motions again in the future. We think this is a worthwhile pilot project. We think it allows the government on the one hand to know that it is going to get done three of the pieces of legislation it wants done. We think it allowed the opposition to focus its efforts on the bills that it considered to be the most important, where they wanted the division.

This place is about division. That's what it's all about. We disagree on some of the fundamental issues. It is in this chamber that we need to have the opportunity to debate, to question, to put our points of view. I'd much rather have been answering questions today than listening to the nonsense that precluded question period, which is just unbelievable in the context that you had the opposition, essentially the third party, filibustering itself.

I think we have to keep an open mind to these new processes and tools. They are not without flaw. They require, by the way, the co-operation of both the government and the opposition. If a government says, "Well, we're just not going to do it," it's not going to happen. If the opposition doesn't want to give and take on certain things, it won't happen. In this case, it happened.

We did it in a manner that we don't believe sets a precedent. We did it in a manner that we think is very clear, that will allow the government, the official opposition and hopefully, at some point, the third party, to sit down and negotiate, either on a bill-by-bill basis or some other basis, this sort of opportunity in the future.

So there's really not much more we have to add. You found it in order. The members on the government side will be voting in favour of the motion as tabled; my understanding is the official opposition is. We welcome the opportunity to debate it and however many members wish to speak will speak, obviously, and then we look forward more so to getting to the business of where we divide, the issues that really put us here.

My colleagues opposite have very different points of view on many issues from my colleagues on this side, and it's important in this place, in this House, that we have the opportunity to debate those in as full and forthright a fashion as possible. The government side is proud to have been one half of the group that negotiated this.

Kudos to the official opposition for recognizing that you can make the place work better and do better for your own position. We're happy to be part of it. It's an interesting pilot. We look forward to the debate on the motion itself but more importantly we look forward to the debate on the issues of the day that are before the House.

**The Speaker:** Further debate?

**Mr Baird:** Thank you for your conscientious deliberation on the issue. I don't want to comment on your deliberation, but I appreciate that you took some time to reflect on it. I know you have a job that is difficult, but I know that you take with it great responsibility.

As the deputy House leader for the official opposition, I want to rise in support of this motion. I didn't come here to Queen's Park to debate a bunch of baloney procedural matters. I came to Queen's Park to represent the people of Nepean-Carleton on the issues that are important, to hold the government of the day accountable, which we couldn't do earlier today, and to fight the outrageous legislative agenda that they're putting forward.

I want to debate the tax hikes that this government wants to bring forward. I want to talk about the devastating effect that this government is going to have on job creation in Ontario. I want to debate the negative impacts this government will have on seniors and on parents who choose to send their children to independent schools, whether that be a Jewish school, whether that be a Muslim school, whether that be a Christian school. I want those—

**Hon James J. Bradley (Minister of Tourism and Recreation):** Upper Canada College.

**Mr Baird:** I don't know anyone who sends their children to Upper Canada College. Maybe the member for St Catharines is different. I don't know anyone who sends their children to Upper Canada College. I know the Minister of Finance sends his children to private school; he bragged about it in the House.

I want to debate these issues. I want representatives of Christian schools, Jewish schools, Muslim schools and Montessori schools to come before the standing committee on finance or general government, whichever committee, and tell this government and these members the terrible thing they're doing and how mean-spirited and vindictive they're being to make it retroactive. This motion allows that debate to go forward.

I want seniors like Frank and Olive, to whom former Premier Ernie Eves introduced the province, to come before a legislative committee and tell this government what a mistake they are making with respect to cancelling the seniors property tax credit, to say that we want to spend a little bit of resources from the public purse to allow seniors to realize the dignity of living in their own home. This resolution will debate it.

The thing about this resolution is that the official opposition is giving a little, the government is giving a little. Some people said: "You know what? Don't argue with the government. Just ram it down their throat and use every procedural trick in the book. Make them use

time allocation. Then we can go forward in the next election campaign and say, 'We made them use time allocation 187 times.'" Big deal. I didn't have a single constituent in Nepean-Carleton raise with me the previous government's use of time allocation, though the member for St Catharines' comments do echo with me on occasion.

When I knocked on doors in South Nepean, Stittsville, Vernon, Metcalfe, Osgoode, Richmond and Bell's Corners, people said to me they want their institutions to be more relevant. What it takes is less the government and the opposition; what it takes is individual members on both sides of the House to say, "We're prepared to step up to the plate and to act more responsibly, to be more mature."

I'm very pleased that the government and the opposition, members on both sides of the House, who have a lot of reservations about this process, are willing to give it a try in this small, abbreviated session. So I want to get on to the agenda about the terrible tax increases that this government and these MPPs are about to inflict on the people of Ontario. I know that if we get them to committee, members like the member for Niagara Falls will want to listen to how mean-spirited and vindictive it is to make a tax increase retroactive. I'm going to want seniors to talk to the member for Ottawa Centre at these committee hearings about how they're not helping senior citizens. This motion will allow us to do that.

**2010**

We're going to get two full days of debate on third reading. I don't think we've had debate on third reading in this place in a number of years. I don't know who you blame, whether you blame the government or an irresponsible official opposition, but thank goodness that a vast majority of members are willing to put aside the differences that we've had and are willing to try something new. This motion will allow us to do it.

I am looking forward to debating Bill 4, the Ontario Energy Board Amendment Act, because these—

**Mr Richard Patten (Ottawa Centre):** John, you're such a BSer.

**Mr Baird:** What did you say?

**Mr Patten:** You're such a baloney saucer.

**Mr Baird:** Baloney saucer? That's interesting. Boy, does the member for Ottawa Centre have a way with words—real intellectual battle with that lingo. He can do better than that. A bunch of baloney saucers? He can do better than that. He's been a member of this House since—I was in high school when this guy was elected. He can do better than that.

We're going to go back to the motion. Boy, oh boy, do I look forward to public hearings on the Ontario energy bill. These folks went around the province for months, 16 months, and promised people—the member for Hamilton Mountain went around promising people that she would cap rates until 2006. Boy, oh boy, did they change their minds quickly. I know that when the member for Hamilton Mountain hears the depositions in that committee, she'll want to keep their campaign promise,



because the member for Hamilton Mountain, when she was re-elected on October 2, her vow was her word, was her bond with the people. I know she won't want to break the promise. She won't want not to be straightforward and up front with her constituents. I won't use another word.

I know that the member for Ancaster is going to want to keep his word. He won't be able to look any of his constituents in the eye and break his word to them, that he voted not once, not twice, not three times for the energy bill in the previous Parliament. These hearings are going to give time for the Liberals to knock a bit of sense into them. We are going to have public hearings on that. We have one public hearing.

Thank God, we have a more effective official opposition after the election on October 2. The only benefit of the election on October 2 is that the people of Ontario got a better official opposition. Doesn't the member from Fort Erie agree? We got that.

I saw the Premier. His riding is about 100 metres from my house. I think my majority in my constituency was higher than the Premier's.

**The Speaker:** Member for Nepean-Carleton, would you mind directing your discussion to the Chair.

**Mr Baird:** I saw the Premier after the election campaign and I said, "In opposition you made us in government do a better job. You helped us. Premier, I'm going to help you too. I'm here to help." That's what I said.

*Interjection.*

**Mr Baird:** Delighted. I'm going to repeat that comment at all-candidates meetings, that Liberal members want to see me back.

**Interjection:** Only in opposition.

**Mr Baird:** See me back in one shape or form. I'm looking forward to working for the member for Nipissing on the board of internal economy.

**Interjection:** As am I.

**Mr Baird:** We're already bonding, I can see. I'm excited about that. The member for Perth-Middlesex is here.

OK, I'm going to finish my speech now. I'm not going to listen to the peanut gallery behind me.

I look forward to changing. They're going to want to keep their promise. They don't want to lie. They're going to keep their promises, I bet. When we go to hearings, they're going to keep their promises. You watch.

We have a temporary freeze on automobile insurance. We're going to get public hearings on that too. This party, in opposition, couldn't get any public hearings on anything, but thank goodness we have an effective opposition in Ontario that's going to win one for the taxpayer.

**Mr Patten:** They changed the rules.

**Mr Baird:** We'll change them back, with unanimous consent, tonight. Would you change them back to the 1995 rules?

**Mr Patten:** We will change them back.

**Mr Baird:** You won't. Aw, baloney. A bunch of baloney, I say to the member for Ottawa Centre. Someone get this guy out of here.

We've got a temporary freeze on auto insurance. They're elected to government for the second time since the Second World War, and what are they going to do? They're going to temporarily freeze auto insurance. Big deal.

**Ms Caroline Di Cocco (Sarnia-Lambton):** You had eight years.

**Mr Baird:** You're going to temporarily freeze something and consult. That's not doing anything. If we had brought this forward, the member for Sarnia-Lambton would have been the first member—she would have gone apoplectic on this. So we're going to debate that and point to how that's another broken promise by the Liberals.

We're also going to have an opposition day. We got the opposition day back that people wanted to steal from us. Thank goodness we're going to have an opposition day. I'm going to give you a sneak peek: We're going to be talking about tax hikes and broken promises. I'm looking forward to it.

*Interjections.*

**Mr Baird:** Broken promises: 99% of people agree you guys break your promises. Ask anyone; don't believe me.

We're also going to have a motion that's going to allow us to appoint a Deputy Speaker. I bet, Speaker, you're pleased with that, as is the member Bruce Crozier.

**Hon Steve Peters (Minister of Agriculture and Food):** "Judge me on next year's auditor's report."

**Mr Baird:** If the member wants to hold up headlines, I can hold up headlines: "Broken Promises Stalking New Premier." I can hold up headlines too.

**The Acting Speaker (Mr Ted Arnott):** I'd like to caution members on all sides of the House that it is a breach of the rules to hold up those kinds of newspaper clippings.

**Mr Baird:** A cabinet minister being called to order by the Speaker—shameful. I've been a member of this place for many years and it never happened to me.

So we're not just going to get an opposition day but we're going to get to vote on the Deputy Speaker. I'm excited about that.

Finally, instead of coming here to debate a motion to debate a motion, we're actually going to be able to debate the motion. This is the longest period any Parliament in the Commonwealth has ever gone without debating the speech from the throne, and that's disgraceful. This motion is going to allow that. I'm looking forward to hearing the debate and listening to and learning from my friends in the NDP, particularly my new best friend, the member for Niagara Centre.

**Ms Monique Smith (Nipissing):** It's a beautiful relationship.

**Mr Baird:** It's a beautiful relationship, the member for Nipissing says.

I look forward to listening to and learning from the member for Niagara Centre. I listen to the member for Niagara Centre, and my IQ goes up by two or three points. I'm excited about the opportunity of hearing him debate.

So we're going to debate this. I look forward to hearing the debate. An important part of debate is deciding, is the choice where each of us will be called upon to stand in our place and render a verdict.

C'est bien sûr, monsieur le Président, un grand plaisir pour moi de parler sur cette résolution donnée par le chef parlementaire du gouvernement. On va attendre l'autre débat par nos collègues dans le Nouveau parti démocratique. J'entends les bons discours de mes chers collègues dans le troisième parti, et c'est très bien.

*Interjection.*

**Mr Baird:** Je veux dire au député d'Ottawa-Centre que *[remarks in Spanish]*.

Speaker, with those comments, I look forward to hearing other debate, and I look forward to talking about the real issues which are important to the people of Ontario.

2020

**Mr Kormos:** This is an interesting day. I've been here 15 years. I was here at a point in this Parliament's history—I remember coming here as a member of the opposition in the course of the Peterson years—when opposition members could ring bells for days at a time, when there were no limits on individual speeches, when there were no limits on the length of debate other than the rarely used common-law event of closure.

I remember when one opposition member held the floor for a whole month and then, when the government used a rarely used motion to compel the House to sit 24 hours a day, held the floor for another 17.5 hours to drive home a point. I remember that.

I remember when there were no time limits on debates and when debates sometimes would carry on for weeks at a time and, from time to time, for months at a time, but when in fact more business was done in this House than I've seen being achieved over the course of the last eight years and that I expect we'll see achieved over the course of the next four years.

I recall as an opposition member, a novice, feeling great concern about what were in relative terms some modest restrictions on the rights of the opposition implemented by the Liberal government of 1987 to 1990. I recall as a member of the government caucus speaking against my own government's rule changes and cautioning and admonishing people to please be very careful.

I recall when shortly after the Conservatives were elected prevailing upon them to be cautious about the—as they were named—reforms to the standing orders in the interest of, and in an effort to accelerate, government business.

I also remember when committee work was extremely relevant and when motions that amended bills received consideration whether they came from opposition members or from government members, and when they were more than mere show trials. I'll acknowledge that things started to change, it seems pretty rapidly, after I first got elected here in the late 1980s, but I'm very lucky to have witnessed this House at a time when debate occurred at an intense pace, both in the chamber and in committee.

Some, or any, or all of you can take some pleasure at seeing a process utilized by this government that quite frankly makes standing order 46 redundant—it does—and I understand the Speaker's ruling, but I say to you it is not an attractive or enviable experience.

I witnessed the huge majority governments of 1987, of 1990, of 1995, and I say to you that if I've learned nothing I've learned that landslides are not the way to elect governments. They aren't. I'll say that about the government of 1987, about the government of 1990 and about the government of 1995.

Inevitably, in a landslide, in a sweep, good members of the Legislature of all political stripes get defeated, not because they were delinquent in their duties as MPPs, not because they failed to serve honourably, not because they were anything less than the hardest-working people, but because they get caught up in sweeps. I saw it happen in 1990, I saw it happen in 1995 and I saw it happen in 2003. Good people get defeated.

I've witnessed in those sweeps people being sent here who have no business being in this Legislature, where in those sweeps the most challenging task was for someone to receive the nomination of the party that happened to be prevailing at that moment in time, where the task of getting the nomination was far more challenging than being elected.

I am, I suppose, in many respects the penultimate opposition politician. I reflect on my work here and my history here, and I wouldn't reject that as a description or as an identification of my style of politics. I also had the pleasure of serving with other members of this assembly—long-time members, experienced members, honourable members—who, when they were in opposition, would and did say things like, "Motions designed to close off debate are not healthy for democracy."

Let's not kid ourselves or anybody else. The motion before the House this evening is a motion designed to curtail debate. It's of little comfort to you, and should be of little comfort, to say, "Oh well, one day of third reading debate appears to be somewhat more than the zero days of third reading debate allotted to so many bills by the Tories, who ruled this place between 1995 and 2003."

I also say to you that the appearance of two days of committee—well, upon reflection, no, that's not a significant difference from what was contained in Tory time allocation motions around committee work. Oh, grimace and make faces. Oh, please, I was here. Take a look at what this motion contains: two days of committee work, 10 to 12 in the morning; from the end of routine proceedings, the commencement of orders of the day through to 6 in the afternoon, for one day; and then, on a second day, for public submissions and clause-by-clause consideration."

Most of you, as government members, will be sitting in committees voting not because you've read the bill, and least of all because you understand it, but because you've been told how to vote. Most of you will not even thoroughly examine the briefing notes, never mind challenge declarations made in those briefing notes. You



are among the highest-income earners in this province. The minimum wage here is over \$85,000 a year. I'm not saying that any of you don't necessarily work hard, but I'm telling you that to relinquish the individual role of the member—and one of the regrettable observations made during the submissions tonight was that if the vast majority of Parliament agrees about something, then somehow it's OK. Without the matter being put to a vote, it seems to be that that's a consideration to be held—accept the ruling—in determining whether or not something is appropriate.

Parliament is not about government; Parliament is where government comes to have its policies and its positions challenged and tested. Government occurs in the Premier's office, in cabinet office, not in Parliament. Parliament, yes, historically had been—well, I suppose in Court of Star Chamber days—the property of the king, the monarch, but has, as our sense of western parliamentary democracies developed, increasingly become the property of opposition. I understand the euphoria of newly elected members, especially newly elected members—I have no hesitation in acknowledging it's nicer to be elected as part of a government than it is as part of an opposition. It's nice to be elected as part of a government that defeated a government that was perceived by the vast majority of Ontarians to be uncaring, insensitive and, quite frankly, from time to time oppressive in its style.

2030

I had a new cabinet minister from this government, one who had never served in cabinet before—the other day as I went up to congratulate one of the Liberal backbenchers for his first-time speech, and there was some banter between the member from St Catharines and me—and she said to me, “You know, Peter, how come you never got public auto insurance established as a policy?” I said to her, “Minister, in six months I suspect you won't have to ask me that question, because you'll know. You won't have to ask the question, because you'll know.”

So take pleasure in the fact that this motion will pass. Your House leader has already indicated that government members are going to vote for it, and at this point in time, when the competition is hot and heavy for cabinet positions yet to be made available, as backbenchers eagerly await—opening the morning papers as early as possible—a cabinet minister's fall—

*Interjection.*

**Mr Kormos:** Oh, please. I know we're not supposed to talk about that publicly, but I know there are people in this chamber who have said, “Why them and not me? I'm so much more clever. I'm so much more capable and so much more experienced and I have so much more to offer. I defeated a minister, I defeated this, I defeated that. Why them and not me?” I tell those backbenchers your time too will come, and I suspect it will come within, oh, six to seven months in the first round. That's the nature of the beast.

But having said that to all of you so full of vim and vinegar, I say to you be careful what you wish for,

because as your enthusiasm becomes tempered by experience and as you find yourself as cognizant as one could ever become of what hubris really means, then you have regret what you not only wished for but what you did.

The member from St Catharines: “Motions designed to close off debate are not healthy for democracy.” I agree with him wholeheartedly. I agreed with him in June 2003; I'd agree with him today, were he to say the same thing.

I have no hesitation in telling you that I think I understand why the deputy government House leader would support this motion, why these sorts of pacts are not uncommon in history. I mean this style of governing is entirely consistent and in tune with what the Tories did for eight years. I admonish you, don't take any real pleasure in the fact that the Conservatives support you enthusiastically in your efforts. It, in and of itself, is not a good sign of anything. As a matter of fact, it should be the red warning flag; it should cause you to hesitate, step back and reflect.

So what happens when words increasingly become prohibited in the course of debate? What happens when tactics and the opportunity to use them become suppressed? People become more creative about the words they use and they become creative about the tactics. I remember days when bells rang two and three days at a time. The member from St Catharines remembers those days too. He remembers that they were effective means for opposition members, the kinds of means that he recalled with fond memories when he was a member of the opposition. While he may have been as disturbed as his colleagues—and I don't think he was as disturbed as many of his colleagues about the utilisation of them when he was in government—he also recognized the value of them when he was in opposition.

So be careful what you wish for, because when opposition members, especially a minority, are compelled to become more and more creative around their opposition, they also may become more and more mundane. So you're going to hear a lot more bell-ringing, I suppose, around this House. We can change the rules around that and see what happens. When there are no bells ringing, you see, government members don't have a chance to show up to vote when it's touchy and sensitive for the government.

The bell ringing: are we happy? You bet your boots we're not. We're miserable. We're cranky. Oh, yes. I'm being deadly candid with you. We're cranky as all get-out. So you're going to hear motions for adjournment of the debate. You're going to hear bells being rung. You're going to learn that one person can prevent unanimous consent. Change the rules so you don't need unanimous consent? See how well that works. See how well it works five years down the road.

Speaker, I move adjournment of the debate.

**The Acting Speaker:** The member for Niagara Centre has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

All in favour, say “aye.”

Those opposed, say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 2037 to 2107.*

**The Acting Speaker:** Will members in favour of the motion please rise and remain standing.

All those opposed to the motion will please rise and remain standing.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 6; the nays are 29.

**The Acting Speaker:** I declare the motion lost.

The member for Niagara Centre still has the floor.

**Mr Kormos:** It's fascinating—two Conservative caucus members in the House now. These are the people, the Conservatives, who enthusiastically supported these evenings sittings, who want to talk a big game but don't want to participate in it. It'll be interesting to see how much debate there is by Conservative members on this motion, how much debate there is, quite frankly, by government members on this motion, or whether Conservative and government members have been told to basically sit down, shut up and wait to be told how to vote.

So minority parties resort to more and more creative tactics. Some are mundane. Some are tedious. Some only faintly allow us to recall the glory days of bells ringing two and three days at a time. Remember the period of the Patti Starr scandal and Gordon Ashworth and the paint jobs and the fridges and, oh yes, the things opposition parties did then to focus attention on the corruption that had permeated government benches?

You know what happens now, don't you, Speaker? You know the drill. You know the routine. You know what happens next. I'll tell you what happens. It is this: I move adjournment of this House.

**The Acting Speaker:** Mr Kormos has moved adjournment of the House.

All in favour of the motion, please say "aye."

Those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 2111 to 2141.*

**The Acting Speaker:** All those in favour of the motion, please rise and remain standing.

All those opposed to the motion, please rise and remain standing.

**Clerk of the House:** The ayes are 6; the nays are 30.

**The Acting Speaker:** I declare the motion lost.

The member for Niagara Centre still has the floor for about 20 seconds.

**Mr Kormos:** Of course I have time left. I want to thank you for your patience with me this evening. I look forward to the next opportunity I have—who knows when that's going to be?—to speak in this Legislature.

**Mr Rosario Marchese (Trinity-Spadina):** First of all, I want to welcome the—

**Hon Greg Sorbara (Minister of Finance):** Rosario, this is beneath you.

**Mr Marchese:** Oh, no.

I want to welcome the citizens of Ontario watching this political forum. We are on live. It's a quarter to 10. I'm very happy to speak but very unhappy to speak to motion 13, which, dare I say, is an odious motion. It's certainly malodorous and, in its intent, malevolent.

I want to say to the people watching tonight that there are times here when we are debating as opposition members and, yes, there are times when we can afford to be humorous, to make fun and have fun from time to time. This is not a motion that I speak to with excitement because I want to make fun of the government members or the things that they do; this is a very deadly serious motion that we're debating.

The problem I find is that there are so many new members in this place so eager, so docile, many of them so arrogant, that when told by their House leader that they can't get their agenda out of the way by next week, and that they have to take more drastic measures to be able to finish their issues by next week and be out of here, presumably by next week or possibly the week after—we might be here in the third week, but I doubt that they want to be here, that's my suspicion, and I could be wrong—the new eager, docile members say, "Well, gee, if we can't do the business that we were elected to do, let's change the rules."

Why do I say this? Because we had that experience in 1990. In 1990, we found Liberal opposition and Conservative opposition so strong and at times so violent that we had many in our caucus who said, "We are not being permitted to govern. We've got to change the rules." There were so many young ones, I remember well, who went so willingly at the behest of the House leader to change the rules. They said the opposition—the mere magnificent seven here—are causing it, that they can't do their business. Imagine, seven members of the New Democratic Party are preventing that government from doing what they need to do, so they have to change the rules again. There we had the young members in our caucus who were so eager, so young and so desirous of pleasing the House leader and, to a great extent, the Premier, who urged us that we needed to change the rules. I've got to tell you I was unhappy. For years I decried what we did. I do it to this day. I know you not-so-young ones, but the newly elected—because they're young and newly elected.

**Interjection:** What do you mean by that?

**Mr Marchese:** I don't mean it to upset you. It's a recognition that some of us are getting older.

Those of you who are newly elected are so eager to do what you need to do to get things out of the way. I know you've got to get through the broken promises as fast as you can. You've got to do that. I understand that. You've got to introduce some good, positive bills so that you can say to the public, "Yes, we broke some promises, but we've got some good stuff coming." You've got to do both, and you've got to do it fast. You've got to do it before the end of the session. I understand that. The problem with this is that changing the rules is something that some of you will regret. Some of you won't, because



hubris will get the better of you no matter what. But some of you will regret this, I know. I not only regret it, but I am angered by the changes we made.

**Mr Patten:** We'll change the rules to help you, then.

**Mr Marchese:** The member from Ottawa Centre—my God, he used to be so quiet when he was in opposition. What's going on? Richard, please. I don't mind the interjections. Really, I enjoy that. It's just that you used to be so quiet. Good heavens—what happens when you get into government.

So I'm telling some of you who are thinking that this is good that it's not, it's bad. We are moving to a point where you might as well, having the members, the majority, come here and say, "This is the bill. We're out of here. This is the bill, this is what we're passing and this is what we're going to do. It doesn't matter what the opposition"—seven magnificent New Democrats—"says. We're just going to pass the bill, introduce it and it's done. We're gone. We're out of here. We don't need debate anymore." You are moving this Legislature into a position where you, as a majority government, can simply do anything you want by fiat. It's wrong. It's dumb politics. It's bad politics.

The members argue, "This is not standing order 46. This is a different motion," as if it were just a very light new motion not affecting standing order 46. Standing order 46 says you've got to have three days of debate. Then you move your closure motion, and you've got another day for debate. If that were not bad enough, one that you Liberals decried while we shared the opposition benches, you now get into government and say, "We're going to do something very novel, something unique. We haven't done it before, but it's so novel we just want to test the thing to see how it goes. Please don't take it badly, those of you who are watching. It's just something we want to try to see how it works out."

I'm telling you, your member from St Catharines—I don't know what he is thinking or what he must be saying in caucus or outside the caucus meetings, in cabinet or outside of cabinet meetings, but I want to tell you what he used to say when he was there, a mere couple of months ago, in the front benches of the Liberal opposition. This is what he had to say about motions that we call strangulation motions, which he called by a different name. He spoke against time allocation time and again. He said it was wrong. We've got a few quotes. We don't have many people here helping us out, but we've got a few quotes. I want, for your edification, to refer to refer to some of them.

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**Mr Gilles Bisson (Timmins-James Bay):** Jim who?

**Mr Marchese:** Jim Bradley, now Minister of Tourism. December 10, 2002:

"I find it most unfortunate as well that this bill will be rammed through with what we call a time allocation motion or what is known as closing off debate. If nobody cares about this, governments will continue to do it. No matter what those governments are, they will continue to do it. It's not healthy for the democratic system. It

relegates individual members of the Legislature to the status of robots, and that's most unfortunate."

I find the quotation interesting, something that you might want to reflect on. Let me move on to another:

"I think the full debate on an issue of this kind, where every member who wishes to speak in this House has an opportunity to do so, is the best kind of debate to have. A time allocation motion, a motion which chokes off debate, as this motion does once again this afternoon, is not a motion that militates in favour of the democratic process but rather shuts down the democratic process," says my former friend Jim, who is now the Minister of Tourism. Oh, I forgot to read the date, but it doesn't matter really.

June 11, 2003, this is Jim again—

**Mr Bisson:** Jim who?

**Mr Marchese:** Bradley, the Minister of Tourism.

"Second is this constant application of time allocation motions. Motions designed to close off debate are not healthy for democracy."

You notice there is a recurrent theme here:

"Third, I remind members of this House that this government, on at least two occasions, has revised the procedural rules of the Legislature. Now, that's dry stuff for the average person in Ontario. They're not going to be leaning forward in their seats when you have a debate on procedural matters. What it means, though, is that the government is able to grease the skids for all its legislation. In my experience in this House, for all governments of any political stripe, the best legislation is passed when it has had the most scrutiny, public input and hearings, clear analysis and has taken some time to go through the House."

That's Jim.

**Mr Bisson:** Jim who?

**Mr Marchese:** Bradley, Minister of Tourism.

Here's another quote from the same former friend, December 3, 2002:

"If the Eves government is not called to account in a very public and prolonged manner, how can Ontario's citizens have any hope that a fair and vibrant democracy can exist in this province? The Eves crowd has rigged the procedural rules of the Legislature to ensure complete control of the parliamentary process and timetable and uses its majority to choke off debate and shut out the public. Does anybody care?"

Jim cared.

"If the government can get away with these transgressions with only a passing reference in the media, what hope is there for democracy in this province? Surely the argument that procedural issues are boring and too complicated for the public to care about or understand—an argument made by the top echelons of the media, who make the final decisions about what gets on the air or what gets in the newspapers—'plays into the hands of an arrogant, condescending, overbearing regime which will impose its will virtually undeterred on the province and relegate the Legislative Assembly to virtual irrelevance.'" My God, so prophetic. "Surely the fact that

media moguls are the direct financial beneficiaries of government advertising cannot override the need to embarrass and condemn those who abuse their public"—and there's more. Jim didn't stop for a moment.

I remember him in the old days. When there was a motion to close debate, he was there first, running. I could see him running from his office. He would come, strut through this place and take his place to speak, and if he couldn't speak, I know how troubled and angered he was that he wouldn't have his allocated time to speak to the motion. He decried the fact that time was constrained for him, that he didn't have sufficient time to make the arguments he wanted to make. I remember that. That was Jim Bradley, the Minister of Tourism, then and now. Alas, poor Jim, I knew you well. I know you no longer. How things change when you get into government.

So we are seeing, member from the longest riding in history—Ancaster-Dundas-Flamborough-Aldershot. I'm telling you I'm not sure I'm wrong about what I'm saying. The quotations speak for themselves.

**Mr John Wilkinson (Perth-Middlesex):** It's all about money.

**Mr Marchese:** Yes, you're right. The public has spoken. The member from Perth-Middlesex says, "It's all about money." How dismissive. You notice how arrogance sets in early? They don't even waste a session or wait a session to deal with issues of arrogance. They immediately immerse themselves, bask in that glow of hubris so quickly. God, it's going to hurt you. You will all implode, and implode quickly. I'm telling you, you've got to be careful.

We're saying that this motion is worse than standing order 46. This omnibus motion is worse than what we had. What I decry is the fact that the member from Nepean-Carleton supported this motion—

**Ms Marilyn Churley (Toronto-Danforth):** They always have, though.

**Mr Marchese:** You're quite right. If they were so dogmatic and so dictatorial when they were in power, when they see a bill that smells somewhat like what they used to do on a regular basis, they must say, "If we did it, I guess the Liberals can do it. We should be supporting them." You're right.

But normally when you get into the opposition benches, you worry about not being given the time or the opportunity to adequately debate bills. I was curious to hear him say, "No single individual in my riding ever talked about time allocation," as if to suggest that because not one single individual talked to him about time allocation, it was all right to time-allocate bills. But it's not all right. Time allocation introduced by their government—44 or 50 times during its last session—was a whole lot of suffocation, strangulation of debate in this place. It was a lot. They hurt the democratic process in this place.

If you adopt such measures—for those of you who find it so amusing—where will you stop? Where will you stop? Where will it end? How will you ever control a majority with the abuse of power, as they are now doing

through motion 13? How will we ever stop them? You, Mr Speaker, ought to be worried about it. Your caucus ought to be worried about this. It fascinates me that they think it's all right. It fascinates me to believe that the member from Nepean-Carleton thinks he's getting more time for debate.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** Everybody wants to move forward but you.

**Mr Marchese:** The member from Ancaster, Flamborough and the other two parts of the riding keeps on blah-blah-blahing—

**Mr McMeekin:** Everybody but you.

**Mr Marchese:** I don't know. I quoted Jim Bradley when he was here on the opposition benches. I'm going to get your quotes too when I have some time, because I'm convinced you spoke against suffocation motions, strangulation motions on a regular basis. I will get them.

I have a motion to adjourn this debate.

**The Acting Speaker:** The member for Trinity-Spadina has moved adjournment of the debate.

All in favour of the motion, please say "aye."

Those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members. This will be another 30-minute bell.

*The division bells rang from 2159 to 2229.*

**The Acting Speaker:** Those in favour, please rise and stay standing.

You may sit.

Those against, please rise and remain standing.

**Clerk of the House:** Pour, 5 ; contre, 29.

**The Acting Speaker:** Ayes, 5; nays, 29. The motion is defeated.

**Mr Marchese:** Merci, monsieur le Président. Happy to see the Minister of Tourism in this place, as he often would say, "I was watching the proceedings on television." So, I am sure he saw me and heard what I had to say about the things he had to say.

I want to quote the member for Ancaster-Dundas-Flamborough-Aldershot—the longest riding name in Canada. On December 3, 2001, he said, "I am also pleased to join this important debate. A very wise man once said 'You don't know what you've got until you lose it.' In these troubling times, we must be particularly vigilant to affirm our most precious democratic freedoms"—said he then—"because compromising core components of our healthy democratic process is very dangerous indeed, and we've seen a lot of that the last week."

There are so many more quotations from the same area. I'm going to leave that to my colleague when he stands up to speak next, unless, of course, the Minister of Tourism is going to engage in the debate. I'm looking forward to that debate to give him an opportunity to speak to the reasons why we have motion 13 before us. If he doesn't want to speak, I'm sure we will find a younger or older person who will want to engage me and us in this debate. So I'm looking forward to some of you



defending motion 13. It would please me and the citizens watching this debate.

*Interjections.*

**Mr Marchese:** Just to mention the chatter from the rump here in the middle. They make it appear as if somehow we have the power, that the opposition has all the power in this place. No, you've got the power. You've got the numbers. You've got the majority. You can do what you like, and you do. We are virtually powerless in this place. We've got no power. You've got the power. Please.

Monsieur le Président, there is something I have to do. I move adjournment of the House.

**The Acting Speaker:** The member for Trinity-Spadina has moved adjournment of the House. Is it the pleasure of the House?

Those in favour, say "yes."

Those against, say "nay."

I believe the nays have it.

This will be a 30-minute bell.

*The division bells rang from 2233 to 2303.*

**The Acting Speaker:** All those in favour, please stand and remain standing to be counted.

All those against, please stand.

**Clerk of the House:** The ayes are 6; the nays are 27.

**The Acting Speaker:** I declare the motion lost.

Mr Marchese.

**Mr Marchese:** My point is, if you can find these innovative ways of stifling debate, what's next? Are you going to look to some South American dictatorships where they go on television to say, "This is what we're going to announce next?" Is this what you're going to do next?

**Mr Garfield Dunlop (Simcoe North):** Mr Speaker, I'd like to put the question, please.

**The Acting Speaker:** Mr Dunlop is calling for the vote.

*Interjections.*

**The Acting Speaker:** It is my decision that we do not allow the motion to be put.

**Mrs Donna H. Cansfield (Etobicoke Centre):** On a point of order, Mr Speaker: During the conversation, the member from Niagara indicated that the member from Simcoe North used the word "moron." I think that's unparliamentary, and I think it needs to be apologized for and withdrawn.

**The Acting Speaker:** I didn't hear that, but if the member said that, would you please withdraw it.

**Mr Kormos:** "Moron" is now unparliamentary. OK, Speaker, I gotcha. Dunlop's just very stupid. He's not necessarily a moron.

*Interjections.*

**The Acting Speaker:** I again ask the member to withdraw it.

**Mr Kormos:** I withdraw. What a stupid thing to do, Dunlop. You're in the opposition.

**The Acting Speaker:** Further debate?

*Interjections.*

**Mr Michael Prue (Beaches-East York):** Mr Speaker, do I have the floor, or do these two gentlemen have the floor?

**The Acting Speaker:** You have the floor.

**Mr Prue:** Thank you very much, Mr Speaker.

I stand here in these august halls and I remember politics in this place going back a long time. Although I've only served in here some two years, I first came here as a young student to watch the debates, which sometimes lasted for days, sometimes lasted for weeks, sometimes lasted for an entire session, with people standing up for what they believed in, with closure hardly ever used. In fact, that was the history of our whole democracy here in Toronto, our whole democracy in Canada, our whole democracy here in this province. I'd just like to speak a little bit about the democracy in all those places and how we have seen fundamental and, I think, very regressive changes over time.

I had the opportunity of first being elected, as many members might know, in the former borough of East York—this was in pre-amalgamation days—and to serve both as a councillor and later as mayor of that borough. I will tell you, that when we spoke, it was always in a civil way. I don't remember once, in the borough of East York, ever having been heckled by anyone. We were always polite to each other. We always talked to each other and listened to what we had to say. If you disagreed with the speaker before—

*Interjection.*

**Mr Prue:** If you disagreed with the speaker before, Mr Minister, then you waited your turn and explained why that person was wrong. You would sometimes convince them of the error of their ways and you would occasionally—and I think usually once or twice a night—convince someone who had spoken before you that they were wrong and that they should change their vote. That was kind of a civil time to be in politics. It was kind of a gentlemanly period, if one can still use that word. I don't know whether you can or not, but it was. There was a sort of camaraderie among us. We listened and we learned, and we dealt without ever, I think, in those halcyon days, resorting even once to closure.

I think back to what happened to a wonderful place like East York. I remember sitting here in the Legislature the night it all came crashing down. I remember coming down many, many times. I remember that there were people all throughout these galleries from Toronto, people from a wonderful organization called C4LD, Citizens for Local Democracy, citizens who came out in huge numbers, demanding to be heard, demanding that their government listen to them, demanding that members of all sides of the Legislature listen to them.

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I was very proud in those days of not only the New Democratic Party but also of the Liberal Party, because they stood together, person after person against a government that was hugely unfeeling, a government that did not want to listen to the people and did not want to listen to the opposition, a government that took every

single opportunity to close down democracy, to say that the people of Toronto did not matter, to force upon them an amalgamation which did not work then and does not work today, a government that used closure, a government that used procedure to stifle debate.

I think of my times at Metro Toronto, another government. When I was the mayor of East York, I had the huge opportunity of going to down to Metropolitan Toronto and I watched there. The sense of camaraderie—I will not use the word “gentleman” again—was not quite so extensive, but I will tell you that very seldom was closure ever used, very seldom were people stifled in their debate, very seldom would I be heckled, very seldom would anyone heckle at all. You know, they listened to what had to be said. If the debate took an hour, it took an hour; if it took a day, it took a day; if it took a week, it took a week; but every voice was heard. Everyone was allowed to say what they had to say and, more importantly, every motion that was made, whether you were on the side of those proposing it or opposed to the side proposing it, was adequately and fully debated and voted upon. As a member of that body, I often made motions and I often made amendments to motions, some of which, even when I was in opposition to what was being done, were listened to and were passed. People listened to the debate and learned from their colleagues.

Then, you know, we went into the megacity and all those things happened. A government in this Legislature that would not listen to the people of Toronto imposed upon them a megacity—a megacity that flounders, a megacity that is going into debt, a megacity that does not work and a megacity where citizens are shut out.

I would think that people from other parts of Ontario must know about that too. Those who live in Ottawa or in Flamborough might know how bad some of those megacities are, or those—I wish the member was here—who live in Lindsay will see that her own colleagues of Kawartha Lakes have voted to de-amalgamate. In the megacity there were all kinds of debates too, but I remember only one occasion where closure was actually moved and carried. It required a two thirds vote, and it required that people stop the debate.

I will tell you that the biggest debate the city of Toronto ever had was on the shipping of garbage to Kirkland Lake, an issue that is resurfacing and may resurface to this Legislature this year. If one is to believe the North Bay Nugget, the banner headlines of a day or two ago, it may resurface. I will tell you that no one attempted to stop or stifle that debate, even though it went on day after day. The mayor had to extend the sitting and give notice of the extension of the council of that day. The debate went on because the debate was important and every view needed to be heard. In the end, the majority prevailed. You can read today that the city of Toronto opposed and shut down the great garbage dump in Kirkland Lake. In fact, that did not happen. In the end, the majority prevailed and it was passed, although it later floundered on its own because the proponents would not

meet the requirements set out by city council. But I will tell you that no one attempted to stifle debate.

Then I arrived here at the province some two years ago, in this august Legislature, and watched in awe at the magnificence of the building and sometimes the eloquence of the debate, but what was always the most troubling to me, and what continues to be troubling to me, is the fact that so many people in this Legislature do not want to hear what other people have to say. They do not want to hear the minority; they want to push through whatever legislation is on their agenda and go home. I tell you that is a very sad reflection on democracy which people in this country—in fact, people throughout the world—hold in such high esteem and for which many have fought and died.

It was only some 30 years ago, if my memory is correct, that one of Canada's greatest—probably the greatest Prime Minister in this century—Pierre Elliot Trudeau, said something disparaging about the members of the House of Commons. He said if they got 100 yards away—he was still using non-metric terms—they were nobodies. The reality is that that is not the case. It was not the case then, and it is certainly not the case today.

Those are the elected representatives of the people who have an obligation to represent the people, not in government, but inside the Legislature; not to pass the bills, but to comment on the bills; not to propose legislation, because that is the job of the executive council, but to pass judgment on it, to stand up and say what is good and what is bad. That needs to be heard. Each one of us represents 100,000 or more people.

I certainly know about 115,000 people of Beaches-East York expect me to stand up and say what is good and what is bad on every single piece of legislation, every opportunity I have to do so, and that is my intent. My intent is not to be stifled. My intent is to try to make this Legislature as good as it can be. Sometimes we have to look backwards to the way it was.

When I was a student and came here from the University of Toronto in the 1960s, I used to sit up there. I used to sometimes watch the debates in absolute awe, because the debaters were eloquent. Someone referred to Stephen Lewis—you could watch Stephen Lewis, you could watch Jim Renwick, you could watch Conservatives—and I won't say Bill Davis was the most eloquent speaker I ever saw, but he stood his ground and was able to pass comment, and he was able to take it. I don't remember in those days that closure was ever used at all. In fact, I doubt very much it was used even once. Sometimes if it took a day or a week to hear people—and there were more members of the House than now—to pass the legislation and to do that which was right, then the time was taken to do it. People did not debate motions like we're debating tonight. They debated substantive issues, because the substantive issues were put before them.

Quite frankly, what we have here tonight is an omnibus closure motion. I have never seen such a thing before. I have never even read of such a thing existing. I don't believe there's ever been such a thing in Ontario



before. If there's still anyone watching, this is an omnibus closure motion that allows the government to shut down debate literally at will.

**Ms Churley:** How many pieces—

**Mr Prue:** There are five pieces of legislation. It allows the bills to be shut down.

The reason we are standing here in the New Democratic Party may be altruistic. It's not about money; it's not about official status; it's not about all the taunts that we've got here tonight. What it's about is our hope that the ordinary citizen can again be represented in these chambers and that their voices can be heard.

All of you have spoken about this in the past. I've got a few quotes. I'd just like to remind some of the members opposite of what they've said on these very same things in the past.

Because he's been most vociferous tonight, he has heckled so many times, I would like to start with the member for Ancaster-Dundas-Flamborough-Aldershot. He said it perhaps as well as I have heard anyone else. I was a relatively new member. I had arrived here in October 2001. One of the very first large debates in which I was involved was the change to the Municipal Act. He was the critic for the Liberal Party to the Minister of Municipal Affairs, as I was the critic for the New Democratic Party. This is what he had to say. I've got enough time. I'm going to read a lot of what he had to say. I'm going to start half way down:

"Ironically, I came just a few moments ago from a meeting of the standing committee on justice and social policy. We were dealing with Mr Colle's private member's bill dealing with heart defibrillators. The ironic thing was the government took the position that they didn't want to support it, for a whole slew of reasons, not the least of which being they thought it was more appropriately something that should be handled municipality to municipality. Yet ironically, just last week when members of our caucus, with support from members of the caucus of the third party, actually put an amendment which would have allowed that, the government members of the committee voted it down.

"In fact, I found it passing strange that every single government amendment to Bill 111, the new Municipal Act, predicated on trust and respect, was passed, and every single amendment that was put by the NDP and the official Liberal opposition was rejected. I want to suggest it wasn't because the amendments that were put by opposition members were lacking in integrity or decency or appropriateness vis-à-vis the municipal scene. It was, strictly speaking, just narrow-minded ideological knee-jerk politics again.

"When I came here, I was an incurable optimist, but I need to tell the members opposite, I'm now cured, almost completely. The kinds of things that were rejected, if you can believe it—we put amendments that said municipalities shouldn't be amalgamated against their consent. Defeated. We've said there should be a prescribed period with respect to downloading and consultation. It was defeated. The safety aspects that I've just pointed out

were defeated. A number of amendments with respect to the natural environment were defeated. What fundamentally was defeated was the minister's promise and assurance that he was serious, and that he wanted us to proceed with this legislation in a spirit of tri-partisanship, to really do the things that we needed to do."

Do you remember those days?

2320

**Mr McMeekin:** They were shameful days

**Mr Prue:** Yes, they were shameful days. This too is a shameful day, because people who have talked about democracy, people who have stood in this Legislature to fight the amalgamation of municipalities, including your own, people who have lined this Legislature on all sides to be heard are not being allowed to be heard.

Here I am being heckled again, when I am simply telling you what you have said before. You are not alone. I want to tell you there are a lot of people.

Here's one of my favourites, from the government House leader. Mr Duncan, Ontario Hansard, December 9, 2002:

"I just want to again explain to those listening what time allocation is. That's cutting off debate, shutting down the opportunity for members to speak. There are about a dozen members in the Liberal caucus, I suspect, who wanted to speak to this bill who will not have the opportunity now. That opportunity is gone because of this time allocation, this guillotine bill, this attempt to stifle debate, to limit the ability of members to participate in the discussion. What's particularly sad about it is that over the course of events—on the budget bill, they had to go to committee of the whole and then waive their own time allocation motion, because they had shut down debate on that and they wouldn't allow third reading debate."

He went on to talk about how a new government was going to do something else. I think many people in Ontario wanted a new government and thought that a new government might make things better. I know that the Liberals often think their new government is going to make things better, and everything is wonderful now, because they are not Conservatives. I want to tell you that I'm not so sure, seeing this motion here tonight. I watched closely, of course, as all Ontarians did, what was happening in the last election. They all expected really good things from a new Liberal administration, that the really horrible days of the Conservatives—none of whom are here tonight, by the way—were over. But I will tell you that what we were hoping for was in vain.

We listened to Dalton McGuinty on democracy and closure. I just want to hear both of these, because this is what I expect from you. I expect that you follow your leader. I expect that you do what he said he would do in the past and follow through. Ontario Hansard, May 13, 2002:

"Premier"—he was talking to then Premier Ernie Eves—"you have a majority ... I expect that you will govern it fairly and with respect. As long as you do that, I will give you whatever help and support that I can,

because that's my job. If you fail to do that, I will put as many roadblocks in your way as I possibly can, because that too is my job."

Now if that's not be outdone, in 2003, he said it even better.

**Mr Marchese:** What about the motion you want to move? Don't you want to move a motion yet?

**Mr Prue:** Not yet.

Dalton McGuinty said—this is from Ontario Hansard, May 12, 2003:

"The Harris-Eves government has simply not been kind to democracy in Ontario. For example, they have severely limited debate in the Legislature. In their first term, they changed the rules 42 times to restrict debate and limit the power of elected representatives. That's 42 times. They have forcibly closed debate on 60% of the bills presented at Queen's Park—60%. By way of comparison, in 1985, that figure was 1%."

**Mr McMeekin:** Move adjournment now.

**Mr Prue:** Is that what you are asking me to do, Mr McMeekin? Is that what you want? If you want me to move adjournment, Mr McMeekin, I will move adjournment of the debate.

**The Acting Speaker:** Mr Prue has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

Those in favour, say "yes."

Those against, say "nay."

I believe the nays have it.

This is going to be a 30-minute bell.

*The division bells rang from 2326 to 2356.*

**The Acting Speaker:** All those in favour, please stand and remain standing.

All those against, please stand.

**Clerk of the House:** The ayes are 6; the nays are 13.

**The Acting Speaker:** I declare the motion lost.

It being midnight, the House stands adjourned until 1:30 tomorrow.

*The House adjourned at 2357.*



# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman

Speaker / Président: Hon / L'hon Alvin Curling

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton West / -Ouest	Marsales, Judy (L)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon / L'hon Leona</b> (L) Minister of the Environment / ministre de l'Environnement
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Huron-Bruce	Mitchell, Carol (L)
Beaches-East York / Beaches-York-Est	Prue, Michael (ND)	Kenora-Rainy River	Hampton, Howard (ND)
Bramalea-Gore-Malton- Springdale	Kular, Kuldeep (L)	Kingston and the Islands / Kingston et les îles	<b>Gerretsen, Hon / L'hon John</b> (L) Minister of Municipal Affairs, minister responsible for seniors / ministre des Affaires municipales, ministre délégué aux Affaires des personnes âgées
Brampton Centre / -Centre	Jeffrey, Linda (L)	Kitchener Centre / -Centre	Milloy, John (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Brant	Levac, Dave (L)	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Lanark-Carleton	Sterling, Norman W. (PC)
Burlington	Jackson, Cameron (PC)	Leeds-Grenville	Runciman, Robert W. (PC)
Cambridge	Martiniuk, Gerry (PC)	London North Centre / London Centre-Nord	Matthews, Deborah (L)
Chatham-Kent Essex	Hoy, Pat (L)	London West / -Ouest	<b>Bentley, Hon / L'hon Christopher</b> (L) Minister of Labour / ministre du Travail
Davenport	Ruprecht, Tony (L)	London-Fanshawe	Ramal, Khalil (L)
Don Valley East / -Est	<b>Caplan, Hon / L'hon David</b> (L) Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint	Markham	Wong, Tony C. (L)
Don Valley West / -Ouest	Wynne, Kathleen O. (L)	Mississauga Centre / -Centre	<b>Takhar, Hon / L'hon Harinder S.</b> (L) Minister of Transportation / ministre des Transports
Dufferin-Peel-Wellington- Grey	Eves, Ernie (PC) Leader of the opposition / chef de l'opposition	Mississauga East / -Est	Fonseca, Peter (L)
Durham	O'Toole, John (PC)	Mississauga South / -Sud	Peterson, Tim (L)
Eglinton-Lawrence	Colle, Mike (L)	Mississauga West / -Ouest	Delaney, Bob (L)
Elgin-Middlesex-London	<b>Peters, Hon / L'hon Steve</b> (L) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation	Nepean-Carleton	Baird, John R. (PC)
Erie-Lincoln	Hudak, Tim (PC)	Niagara Centre / -Centre	Kormos, Peter (ND)
Essex	Crozier, Bruce (L)	Niagara Falls	Craitor, Kim (L)
Etobicoke Centre / -Centre	Cansfield, Donna H. (L)	Nickel Belt	Martel, Shelley (ND)
Etobicoke North / -Nord	Qaadri, Shafiq (L)	Nipissing	Smith, Monique (L)
Etobicoke-Lakeshore	Broten, Laurel C. (L)	Northumberland	Rinaldi, Lou (L)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Oak Ridges	Klees, Frank (PC)
Guelph-Wellington	Sandals, Liz (L)	Oakville	Flynn, Kevin Daniel (L)
Haldimand-Norfolk-Brant	Barrett, Toby (PC)	Oshawa	Ouellette, Jerry J. (PC)
Haliburton-Victoria-Brock	Scott, Laurie (PC)	Ottawa Centre / -Centre	Patten, Richard (L)
Halton	Chudleigh, Ted (PC)	Ottawa South / -Sud	<b>McGuinty, Hon / L'hon Dalton</b> (L) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales
Hamilton East / -Est	Agostino, Dominic (L)	Ottawa West-Nepean / Ottawa-Ouest-Nepean	<b>Watson, Hon / L'hon Jim</b> (L) Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
Hamilton Mountain	<b>Boutrogianni, Hon / L'hon Marie</b> (L) Minister of Children's Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance, ministre des Affaires civiques et de l'Immigration	Ottawa-Orléans	McNeely, Phil (L)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Ottawa-Vanier	<b>Meilleur, Hon / L'hon Madeleine</b> (L) Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones	Thornhill	Racco, Mario G. (L)
Oxford	Hardeman, Ernie (PC)	Thunder Bay-Atikokan	Mauro, Bill (L)
Parkdale-High Park	<b>Kennedy, Hon / L'hon Gerard</b> (L) Minister of Education / ministre de l'Éducation	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
Parry Sound-Muskoka	Miller, Norm (PC)	Timiskaming-Cochrane	<b>Ramsay, Hon / L'hon David</b> (L) Minister of Natural Resources / ministre des Richesses naturelles
Perth-Middlesex	Wilkinson, John (L)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Peterborough	Leal, Jeff (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	<b>Smitherman, Hon / L'hon George</b> (L) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Pickering-Ajax-Uxbridge	Arthurs, Wayne (L)	Toronto-Danforth	Churley, Marilyn (ND)
Prince Edward-Hastings	Parsons, Ernie (L)	Trinity-Spadina	Marchese, Rosario (ND)
Renfrew-Nipissing-Pembroke	Yakabuski, John (PC)	Vaughan-King-Aurora	<b>Sorbara, Hon / L'hon Greg</b> (L) Minister of Finance / ministre des Finances
Sarnia-Lambton	Di Cocco, Caroline (L)	Waterloo-Wellington	Arnott, Ted (PC)
Sault Ste Marie	Oraziotti, David (L)	Whitby-Ajax	Flaherty, Jim (PC)
Scarborough Centre / -Centre	Duguid, Brad (L)	Willowdale	Zimmer, David (L)
Scarborough East / -Est	<b>Chambers, Hon / L'hon Mary Anne V.</b> (L) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités	Windsor West / -Ouest	<b>Pupatello, Hon / L'hon Sandra</b> (L) Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
Scarborough Southwest / -Sud-Ouest	Berardinetti, Lorenzo (L)	Windsor-St Clair	<b>Duncan, Hon / L'hon Dwight</b> (L) Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement
Scarborough-Agincourt	<b>Phillips, Hon / L'hon Gerry</b> (L) Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement	York Centre / -Centre	<b>Kwinter, Hon / L'hon Monte</b> (L) Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Scarborough-Rouge River	<b>Curling, Hon / L'hon Alvin</b> (L) Speaker / Président	York North / -Nord	Munro, Julia (PC)
Simcoe North / -Nord	Dunlop, Garfield (PC)	York South-Weston / York-Sud-Weston	<b>Cordiano, Hon / L'hon Joseph</b> (L) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Simcoe-Grey	Wilson, Jim (PC)	York West / -Ouest	Sergio, Mario (L)
St Catharines	<b>Bradley, Hon / L'hon James J.</b> (L) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs		
St Paul's	<b>Bryant, Hon / L'hon Michael</b> (L) Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		
Stoney Creek	Mossop, Jennifer F. (L)		
Stormont-Dundas-Charlottenburgh	Brownell, Jim (L)		
Sudbury	<b>Bartolucci, Hon / L'hon Rick</b> (L) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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of Ontario**

First Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 3 December 2003**

**Mercredi 3 décembre 2003**

Speaker  
Honourable Alvin Curling

Clerk  
Claude L. DesRosiers

Président  
L'honorable Alvin Curling

Greffier  
Claude L. DesRosiers





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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 3 December 2003

*The House met at 1330.  
Prayers.*

### STANDING COMMITTEE ON ESTIMATES

**The Speaker (Hon Alvin Curling):** Standing order 62(a) provides that, "The standing committee on estimates shall present one report with respect to all of the estimates and supplementary estimates considered pursuant to standing orders 59 and 61 no later than the third Thursday in November of each calendar year."

The House not having received a report from the standing committee on estimates for certain ministries on Thursday, November 20, 2003, as required by the standing orders of this House, pursuant to order 62(b), the estimates before the committee of the:

Ministry of Agriculture and Food;  
Ministry of the Attorney General;  
Cabinet Office;  
Ministry of Citizenship;  
Ministry of Community, Family and Children's Services;  
Ministry of Consumer and Business Services;  
Ministry of Culture;  
Ministry of Education;  
Ministry of Energy;  
Ministry of Enterprise, Opportunity and Innovation;  
Ministry of the Environment;  
Ministry of Finance;  
Office of Francophone Affairs;  
Ministry of Health and Long-Term Care;  
Ministry of Intergovernmental Affairs;  
Ministry of Labour;  
Office of the Lieutenant Governor;  
Management Board Secretariat;  
Ministry of Municipal Affairs and Housing;  
Ontario Native Affairs Secretariat;  
Ministry of Natural Resources;  
Ministry of Northern Development and Mines;  
Office of the Premier;  
Ministry of Public Safety and Security;  
Ministry of Tourism and Recreation;  
Ministry of Training, Colleges and Universities;  
Ministry of Transportation;

are deemed to be passed by the committee and are deemed to be reported to and received by the House. Pursuant to standing order 60, the estimates, 2003-04, of these ministries and offices not being selected for consideration are deemed to be received and concurred in.

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 3 décembre 2003

### VISITOR

**The Speaker (Hon Alvin Curling):** With us today in the gallery is a former MPP, Brad Clark. Mr Clark was a member from 1999 to 2003 for the riding of Stoney Creek.

Is he here? If not, we're giving him that recognition. I know he's in the building somewhere. So let us welcome him when he does come in.

### MEMBERS' STATEMENTS

#### TAXPAYER DAY

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I rise today to inform the House of plans for a Taxpayer Day, right here at Queen's Park. Taxpayer Day will be next Wednesday, December 10. Taxpayer Day will allow Ontario taxpayers to voice their concern regarding Liberal tax hikes, tax hikes that Dalton McGuinty announced in Bill 2: a dizzying array of measures that make people in Ontario pay more taxes by cancelling the seniors' property tax rebate; eliminating planned income tax cuts for individuals; scrapping the tax break for parents who send their children to independent schools; jacking up tobacco taxes; and raising taxes on incorporated businesses, loggers, miners and farmers.

At \$2.8 billion a year in increased tax revenue, this law is now rightfully known as the largest single-day tax hike in Ontario's history bill. Wasn't it just a few weeks ago that Dalton McGuinty stood in front of all of us, on our television screens, chanting his misleading mantra over and over again: "I won't cut your taxes, but I won't raise them either"?

Either this bill is another massive broken promise or the Premier has a different understanding of what it means to raise taxes.

Anyone who'd like more information on Taxpayer Day can contact either myself or the member for Nepean-Carleton.

**Hon James J. Bradley (Minister of Tourism and Recreation):** On a point of order, Mr Speaker: I didn't want to interrupt the member when he was speaking, but I did hear the words "misleading mantra" in there. I always thought the word "misleading" was unacceptable in this House. I didn't want to interrupt you, though.

**Mr Barrett:** I withdraw that.



## DIABETES

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I rise to talk about diabetes, a serious illness that will become the 21st century's next deadly epidemic. Today over 600,000 Ontario citizens have diabetes. Today it's the third-largest cause of death in the province. Today, the chronic complications associated with diabetes account for 32% of heart attacks, 51% of new dialysis patients, 70% of amputations and 30% of strokes.

The Canadian Diabetes Association notes that "complications from diabetes can be prevented or delayed by aggressive management of the disease." But we must act soon to ease the human and economic toll of this disease. We must move to ensure that vulnerable Ontarians with diabetes have timely and appropriate access to the medicines and supplies they require through the Ontario drug benefit plan. We must insist on a reintroduction of regular physical education classes in our schools, as there is no better way to protect our children from eventual development of diabetes than ensuring that they become and remain physically active.

On the morning of Tuesday, December 16, the CDA will present an information breakfast session here at Queen's Park. I would urge all members of this House to come out and learn the risk factors and to hear from people who deal with this disease every single day.

1340

## NUTRIENT MANAGEMENT

**Mr Robert W. Runciman (Leeds-Grenville):** The decision by the Liberal government to transfer responsibility for the Nutrient Management Act from the Ontario Ministry of Agriculture to the Ministry of the Environment is a slap in the face to farmers across Ontario. This arbitrary and wrong-headed decision was made behind closed doors, with the Minister of Agriculture obviously missing in action. This will justifiably alarm Ontario's farming community. But it's just the tip of the iceberg with a government that's Toronto-focused and lacks any strong spokespeople for rural Ontario.

The former Minister of Agriculture, Helen Johns, toured the province, consulting with thousands of farmers on the proposed act. One of the main fears farmers expressed was the possibility that implementation and compliance would fall under the jurisdiction of the Ministry of the Environment. Farmers believed, and with considerable justification born of past experience, the MOE would simply hire inspectors who would visit farms with legislation in hand, issuing compliance orders and/or laying charges. Minister Johns made a commitment that responsibility for the program would be retained by the Ministry of Agriculture. Now this Toronto-centric government has thrown that commitment on the manure pile.

Ontario's farmers have endured considerable hardship this year, especially with the far-reaching effects of mad

cow. This rejection of their concerns shows a complete lack of understanding of the current challenges facing Ontario farm families.

The Conservative government understood the need for consultation and co-operation. On the other hand, the McGuinty government, without any consultation, has reversed this decision, threatening the future of thousands of farmers across this province.

## VISITOR

**Ms Judy Marsales (Hamilton West):** On a point of order, Mr Speaker: I ask permission to welcome and acknowledge the president of the Hamilton realtors association, Dan Gies, who is in our gallery today.

**The Speaker (Hon Alvin Curling):** It's not a point of order, but we welcome him, anyhow.

## MEAT INSPECTION

**Mrs Maria Van Bommel (Lambton-Kent-Middlesex):** I would like to impress upon the members of this assembly how important a proficient and credible meat inspection system is to the business of agriculture in this province. As producers of broiler chicken, my husband and I have worked many years and very hard to achieve a superior rating for the product that leaves our farm. We take pride in the product and in the high quality that we send to the processing industry. We don't want our collective years of hard work, market research and progress as farmers to be jeopardized by a lack of public confidence in the meat inspection system.

Ontario consumers have been very supportive of Ontario agriculture. We appreciate that support, but we also don't want to do anything to endanger that. From the farm gate to the plate, both farmers and consumers have a right to a science-based and accountable meat inspection system.

This week's announcement that we were going to hire more full-time meat inspectors is welcomed by Ontario farmers.

## UKRAINIAN GENOCIDE

**Mr Cameron Jackson (Burlington):** I rise to join with all members in the House to commemorate the 70th anniversary of the Ukrainian genocide of 1932-33. As professor Orest Subtelny wrote, this genocide was to be for Ukrainians what the Holocaust was for Jews and the massacre of 1915 was for Armenians: a tragedy of unfathomable proportions that traumatized the nation, leaving it with deep social, psychological, political and demographic scars that Ukraine carries to this day.

Joseph Stalin himself said, "Nobody can deny that the total yield of grain in 1932 was larger than in 1931," and yet 8 million to 10 million Ukrainians died that year of a man-made genocide famine because the Communist state systematically confiscated most of its food for its use on its collective farms. This was done to subjugate the

Ukrainian people. As one of Stalin's lieutenants said in 1933, "It took a famine to show them who is master here. It has cost millions of lives, but the collective farm system is here to stay." Those words, along with the Soviet system itself, are today in the dustbin of history.

On behalf of the entire Parliament of Ontario, I extend heartfelt condolences to the Ukrainian community in Ontario and Canada as well as in Ukraine on this sad occasion. May the memory of all the victims of Ukrainian genocide in Holodomor be eternal. Slava Ukraytni.

## PUBLIC SAFETY

**Mr Shafiq Qaadri (Etobicoke North):** It was Oscar Wilde who, about 100 years ago, wrote that no man can escape from his past. So I was quite alarmed yesterday when I read the Provincial Auditor's report, because I think that particular statement has been brought vividly to light with the experiences of the Eves administration.

I'd like to highlight just three aspects of the health care system. At least 14% of Ontario's children don't receive the required vaccinations by age seven. These are serious problems covering the types of diseases that we as physicians had thought were things of the past; for example, diphtheria, polio, pertussis, tetanus, measles, mumps and rubella. Frankly, Botswana and Nicaragua have better records than the government of Ontario—the previous administration.

Food-borne illnesses still remain a threat, as none of our public health units in this province have conducted the necessary inspections of all their food premises. I'm sad to report to you that eight boards do not even have a full-time medical officer of health.

The auditor also concluded that the previous administration has abrogated its entire responsibility for public safety, given, for example, the situation with West Nile and SARS.

I would like to commend the previous administration for being one of the few governments in the history of this province to simultaneously create a social deficit as well as a financial deficit. Time for change.

## VISITORS

**Mr Khalil Ramal (London-Fanshawe):** On a point of order, Mr Speaker: I have an announcement. Members of the Ontario Principals' Council are with us today to watch us during the session. I'd like to welcome them.

## INTERNATIONAL DAY OF DISABLED PERSONS

**Mr Cameron Jackson (Burlington):** Today I rise on behalf of the 1.6 million persons with disabilities in Ontario—

**The Speaker (Hon Alvin Curling):** Order. You had your time in members' statements unless you seek unanimous consent on this.

**Mr Jackson:** Mr Speaker, do I have unanimous consent to have a second statement?

**The Speaker:** Do we have the unanimous consent of the House? Agreed.

**Mr Jackson:** Today I rise on behalf of the 1.6 million persons with disabilities in Ontario to celebrate the International Day of the Disabled. It was my privilege two years ago, as minister, to develop and pass the Ontarians with Disabilities Act, Canada's most comprehensive disability legislation.

I would like to acknowledge in the House today Jeff Adams, chair of Ontario's Accessibility Advisory Council. The contributions Jeff and many others have made in improving our understanding of accessibility issues were the inspiration in developing this leading legislation.

We have a responsibility to ensure all citizens have the right to full citizenship, to fully enjoy and participate in the life of their community. As a result of the ODA, municipalities have been working with their local accessibility committees.

In August, my community of Burlington launched its first new fleet of 40-foot low-floor buses, providing accessible transit to the frail, elderly and ambulatory disabled. They invested over \$1.5 million of provincial funding through the Ontario transit renewal program.

More municipalities can learn from this. Each year, the Ontario transit renewal program provides over \$100 million to municipalities to replace aging buses. Moving forward, this money should be conditional on the purchase of new, accessible buses.

Many of us will be able to leave this Legislature today without giving a thought to how easy it is for us. There must come a day when access—here and everywhere in the province—is just as easy for persons with disabilities.

1350

## PUBLIC SAFETY

**Mr Jeff Leal (Peterborough):** Yesterday's auditor's report is more proof that the Tories were failing to protect the people of Ontario. Not only did the previous government leave us with a \$5.6-billion deficit, but they also left the province with a serious public safety deficit that will take years to restore. Thousands of criminal cases run the risk of being thrown out of the courts because of a serious backlog. They left the province vulnerable to diseases like West Nile and SARS. There were compliance problems with 22 hazardous waste facilities inspected. Even worse, unapproved handling of treatment of waste happened at 95% of these facilities. After all the lessons learned from the Walkerton tragedy, the Tories still did not adequately inspect the province's water. In fact, more than a quarter of waterworks didn't properly inspect for the same E coli that caused the Walkerton disaster.

What was the Tory priority? Handing out billions of dollars to Ontario's largest corporations and private schools. They had their staff spend all their time inspecting adult videotapes instead of water and food. The



Tories' fiscal management is deplorable, but it's their blatant disregard for public safety that's their worst legacy. This damning indictment of the Tories only proves that they were never serious about protecting the people of Ontario. The Tories were only serious about helping themselves and their friends.

#### *Interjections.*

**The Speaker (Hon Alvin Curling):** The members only have 90 seconds to make a statement. As a matter of courtesy, could we hear those statements without any sort of heckling?

### LIBERAL CAMPAIGN PROMISES

**Mr Garfield Dunlop (Simcoe North):** I rise in the House today to make a very special announcement. Since October 2003, the Dalton McGuinty promise-breakers club has recognized excuses, broken promises and tax hikes perpetuated by members of the new Liberal government. Up until now, official membership in this prestigious club was limited to Dalton McGuinty, Mr Duncan and Mr Sorbara. Today, I am pleased to announce that we're expanding the Dalton McGuinty promise-breakers club to include Environment Minister Leona Dombrowsky.

Minister Dombrowsky has earned this special distinction by using her ministerial position to break a promise to the people in the very riding that she represents, Hastings-Frontenac-Lennox and Addington. During the recent election campaign, Mrs Dombrowsky and honorary club president Dalton McGuinty promised the residents of Napanee that they would drop the appeal on broadening the terms of reference in the environmental assessment of the proposed Richmond landfill.

Here's where it gets interesting: The appeal was withdrawn by Mrs Dombrowsky and her ministry, but days later it was re-entered by Michael Bryant and the Ministry of the Attorney General. How's that for creative promise-breaking? Mrs Dombrowsky thinks she can fool her constituents and hide this one under Michael Bryant's carpet at the Ministry of the Attorney General.

We've got news for you, Mrs Dombrowsky: Your constituents are too smart to fall for that one. Pawning off your promise only to be broken by another member of your own team still constitutes a personal broken promise. Congratulations and welcome to the club, Minister Dombrowsky.

### FAMILY RESPONSIBILITY OFFICE

**Ms Shelley Martel (Nickel Belt):** In his report yesterday, the Provincial Auditor used some of the strongest language ever to describe the ongoing failures of the Family Responsibility Office. He says that without immediate action the FRO "is in grave danger of failing to meet its mandated responsibilities."

The failings are numerous. Arrears owing to families now total \$1.3 billion, an 8% increase since the last audit in 1999. The number of case workers has been cut by

20% but the number of cases has increased from 126,000 to 180,000. There's an average seven-month delay between a case falling into arrears and the start of enforcement. Enforcement usually only occurs because an advocate for the recipient calls to demand action. Clients have to call repeatedly to get through to the office, and many never do. Twenty-three thousand recipients who are owed over \$200 million in total are on social assistance because they can't get the money that they and their children are legally owed. The computer system is antiquated and regularly crashes, causing even more chaos in this office.

This intolerable situation can't go on. The former government is to blame for this crisis because the FRO never recovered from the dumb decision made by the Conservatives to centralize the office in Downsview, to lay off 85% of the staff in one day and to consistently refuse to deal with the outdated technology.

The new government now has this crisis on its hands. You must take your obligation to recipients and their children seriously. We need more staff and new technology at the Family Responsibility Office, and we need it now. Moms and children should not have to wait, should not have to beg, to get the money they are legally owed.

### DONALD DEACON

**Hon James J. Bradley (Minister of Tourism and Recreation):** On a point of order, Mr Speaker: I request unanimous consent to pay tribute to the late Donald Deacon, who was a member of this House. I think there is ordinarily five minutes assigned to this for each of the three parties if it gets unanimous consent.

**The Speaker (Hon Alvin Curling):** Do we have unanimous consent for five minutes for each party to pay their respects? Agreed.

**Hon Mr Bradley:** Very often I end up with the opportunity to pay tribute to people. I guess in many cases it's most appropriate, because I knew some of these people on a personal basis.

With Don Deacon, who passed away relatively recently, I did know Don. I did not serve in this Legislative Assembly with him, but I knew him to be an extremely good constituency person, first of all. All of us know that where we make our mark initially is with the people we represent, the people who vote for us. Don, first and foremost, was a person who was well known to his constituents, a person who worked hard on their behalf at a time when it was often the member's own prerogative and the member's own responsibility to take constituency problems directly to various ministries and various parts of government. Today we have constituency offices, and far more staff than we would have had in the days when Don Deacon was a member of this House. For that reason alone, individuals of that era deserve special consideration and special commendation.

He was also a particularly articulate individual who rose in the ranks of the Liberal caucus to the extent that

he decided he would contest the leadership of the Liberal Party of Ontario at a time when the leader of the day had said that he was considering stepping aside, and ultimately said he was going to. That was Bob Nixon. Well, a contest took place. Don Deacon was a very strong contender in that contest and brought a lot of new ideas to the race, because he was a person with a lot of new ideas.

He was a person who brought a business perspective to his responsibilities as a member of this House as well. He was named the Red Cross Humanitarian of the Year on Prince Edward Island when he was in Prince Edward Island. So if you look at his total contribution to society, not only as a member of this Legislature but as a member of our society, Don contributed an awful lot.

I know that his family was very proud of him. We who knew Don noted his passing with a good deal of sadness. When it happened, I know that those who had contested the leadership with him were people who would have recalled so many fond memories about him. He had a great sense of humour, which he shared with others in the Legislative Assembly and certainly within the Liberal caucus. His sobering second thought on many of the ideas that were brought forward was very much appreciated as well. As I say, as a person involved in the field of business, he knew when proposals were put forward that one of the tests that he would put those proposals to would be the test of how it would affect the business of Ontario or of his own community. So Don understood that extremely well.

Sometimes, if we have not served with these individuals, we do not know of the contribution they make. Certainly the people of York Centre will remember for many years to come the contribution that Don Deacon made.

Another area where he was particularly strong was in legislative committees. We lament today from time to time that our legislative committees don't seem to mean as much as they once did. All of us have expressed that concern at some time or other, and it's something all of us will want to address. But Don Deacon knew the value of those legislative committees. He knew that he could have an impact on government legislation even as a member of the opposition, that he could question people coming before committees in such a manner as to be able to bring out the necessary points to change legislation or to change government policy.

All of us certainly will miss him and will remember his contribution not only to the people of his riding but to the people of the province of Ontario. I particularly want to say, on behalf of the members of the Liberal caucus and the government, that we extend to the family our, in this case belated, condolences, but this is one of the first opportunities we have to pay tribute to those who have made a contribution to this House.

The name Don Deacon will be remembered for many, many years to come to the people of the county of York and the constituency of York Centre, but also to those who served with him and those who were part of the

Liberal Party which he was part of at that particular time. Our province is a better place because of the contribution that Don Deacon has made, and all of us will miss him greatly.

1400

**Mrs Julia Munro (York North):** I rise today to remember the accomplishments of a very distinguished and respected former member of this House on behalf of the Progressive Conservative caucus.

Donald MacKay Deacon, born in Toronto in 1920, was elected as a Liberal member of the Ontario Legislature for York Centre, serving from 1968 to 1974, during which time he rose to become deputy leader of the opposition.

Mr Deacon married Florence Campbell in 1947, and they had six children. He served in Europe during World War II with the Royal Canadian Artillery, reaching the rank of major. He was a forward observation officer. This job required him to get as close as possible to sight the enemy guns, a task he performed during the liberation of Europe, from Normandy to the Netherlands. He was awarded the Military Cross for his service and said that his military service was what motivated his efforts in volunteer organizations and public service.

After the war, Mr Deacon was elected councillor and then deputy reeve of the old township of Markham.

Donald Deacon is remembered as one of the founders of the Markham Stouffville Hospital. He used his experience and knowledge to work with the Ministry of Health to build the hospital. Markham Mayor, and former MPP, Don Cousens remembers that it was Mr Deacon who was instrumental in convincing local philanthropist Art Latcham to donate land for the hospital. He worked hard with local residents such as Lachlan Cattanachan and Len Mason to see that the hospital was built.

His business career in the financial sector saw him serve as chair of F.H. Deacon Hodgson Inc. He was president of the Canadian Club in 1968-69.

His dedication to the arts is honoured in the Frederick Horsman Varley Art Gallery in Unionville, where exhibition rooms are named for Donald Deacon and his wife, Florence.

His daughter became a teacher in the province of Prince Edward Island in 1972, a son moved there in 1973 and the Deacons eventually moved there full-time in 1981.

After moving to Prince Edward Island, he continued his busy career of public service. He became president of the PEI Red Cross and a member of the Red Cross national board of governors. From 1982 to 1987 he served on the board of Mount Allison University, and he was vice-chair of the PEI United Way campaign in 1982. He also served as president of the PEI Royal Commonwealth Society.

Mr Deacon was a highly regarded scout, eventually becoming national commissioner of Scouts Canada from 1982 to 1987, and was founding co-chair of the national Katimavik youth program, where he served between 1977 and 1980.



Mr Deacon was a committed environmentalist, which spurred him on to become a director of the Trans Canada Trail Foundation. He is considered by many to be the reason the Trans Canada Trail exists today. By examples elsewhere, Donald Deacon saw the opportunity to convert abandoned rail lines into trails, not only for Prince Edward Island but for all of Canada. He worked tirelessly for the rest of his life pursuing this cause.

Donald Deacon came from one of the leading families in Unionville and Markham. I met him several times years ago, before he became an MPP, when I lived in Unionville. Don Cousens recalls that one of the first people he spoke to when he thought about seeking nomination in the riding of Markham was Donald Deacon.

Donald Deacon was made a member of the Order of Canada in 1987 and a member of the Order of Prince Edward Island in March of last year. He was also named Red Cross Humanitarian of the Year for PEI.

As you can see, Mr Deacon served the people of Ontario with distinction and integrity both in and out of the Legislature. When he moved to PEI later in life, he began a second career, with accomplishments equal to those in Ontario. He contributed greatly to making two provinces better places to live for their citizens. On behalf of our caucus, our condolences go to the Deacon family.

**Ms Marilyn Churley (Toronto-Danforth):** It is my honour to speak on behalf of the New Democratic Party today and pay tribute to Donald Deacon, who is somebody that I didn't know. It's always hard, of course, to do justice when you rise and speak about a person who served this place with distinction and at the same time somebody whom you never had the opportunity to meet.

I took the time to do some research on Mr Deacon, and I was incredibly impressed by his record, not only his record of service to the people of Ontario but indeed his entire life.

Mr Deacon died at age 83. After being elected as a Liberal to the Ontario Legislature, he served from 1968 to 1974. He served as the deputy leader of the opposition. I don't know if people here are aware, but when you look up background about previous members, you find out very interesting things about them. I read in this article that Mr Deacon became famous for ordering ready-made frozen dinners and serving them to citizens' meetings he organized that often included people from opposite sides of the issues or in a dispute. He served those dinners to everybody and got everybody to sit down and talk. I was very impressed by that. I think that perhaps all of us in this Legislature today should go and buy some frozen dinners and put them on a table and sit down and talk.

I was impressed by some of the things that I found out about Mr Deacon. He was known as a man of vision and determination. Again, I'm not sure if people are aware that Mr Deacon—this is an article from May 15, 1973—became the first man to enter the race to succeed Robert Nixon as the leader of the Ontario Liberal Party. He took that on, and one of the things that he said when he

announced that he would be running for the leadership was that a Deacon government would look after “the forgotten people ... the under-represented and the over-taxed.”

“He said the Tories had forgotten about the secretaries, the clerks, the waiters, the junior executives, white collar workers and unionized blue collar workers.”

Clearly, during Mr Deacon's service here for the people of Ontario, he stood up for the underprivileged in this province. I am proud to have the opportunity to remind people in this House today of the service that he contributed to the people of Ontario.

In 1972, his daughter took up teaching in PEI. A son came to the island in 1973, and his first grandchild was born there in PEI. The Deacons liked, of course, to visit their children and their grandchildren in PEI. They visited PEI a lot and bought a house in 1978. Over a number of years, they fixed it up and then in 1981 they moved there permanently.

As has been pointed out by previous speakers, Mr Deacon's work did not stop. He did not retire in PEI; he continued to get involved in many public service opportunities in PEI.

I want, on behalf of New Democrats, to send our condolences to the wife, the children and grandchildren, and the friends of Mr Deacon. We certainly wish them all the best and send our condolences to the family.

**The Speaker:** Could I just say that the tributes paid by all parties on behalf of the late Donald Deacon will be made available to his family.

1410

## INTERNATIONAL DAY OF DISABLED PERSONS

**Hon Marie Bountrogianni (Minister of Children's Services, Minister of Citizenship and Immigration):** On a point of order, Mr Speaker: I believe we have unanimous consent in the House for each party of the House to speak for up to five minutes in recognition of the International Day of Disabled Persons.

**The Speaker (Hon Alvin Curling):** Do we have unanimous consent? Agreed.

**Hon Mrs Bountrogianni:** Mr Speaker, honourable members, it is my great pleasure to rise today in recognition of the International Day of Disabled Persons. I would like to thank the member for Burlington for his remarks and his concern about accessibility.

This day, first designated by the United Nations in 1992, is an excellent opportunity for all of us to acknowledge and celebrate the many contributions people with disabilities have made to the province of Ontario. In Ontario there are more than 1.5 million people with disabilities. As the Minister of Citizenship and Immigration, I am honoured to have responsibility for overseeing the implementation of an effective Ontarians with Disabilities Act and working with key organizations to bring about meaningful change. This is the commitment that we made in the throne speech November 20, and it is one

that we intend to move on quickly. The intent of our government is to make the implementation of the Ontarians with Disabilities Act, the ODA, more effective and more responsive to the needs of people with disabilities.

Early stakeholder input will play an important role in identifying areas of the ODA that need to be strengthened or changed. It will allow us to gain a deeper understanding of the barriers that still affect the daily lives of people with disabilities, their families, and all of us.

The UN theme for 2003 is "A Voice of Our Own." Our government will be consulting with and listening to people with disabilities. We want to know about their experiences and we want to have their input. It is critical that we account for the full scope of disabilities and the impact of barriers on daily life in Ontario.

Dr Kuldip Kular, my parliamentary assistant from Bramalea-Gore-Malton-Springdale, and I have scheduled a series of fully accessible consultation meetings with people with disabilities and a diverse range of key stakeholders. The consultations begin in January. This is our opportunity to gather valuable insights and to move forward in strengthening the ODA. I look forward to working with my Accessibility Advisory Council and having the members provide me with feedback on the implementation of the ODA, and I would like to welcome Jeff Adams, chair of the Accessibility Advisory Council of Ontario. I would like to add, with what I am sure is shared embarrassment, that we were to meet at the Whitney Block, and Mr Adams had difficulty accessing the Whitney Block. We're going to address that, Mr Adams.

The McGuinty government is committed to a province where all people have a chance to participate fully and to achieve their potential in all aspects of life. We can all make a contribution; we can all make Ontario a place where everyone can build a future and realize their dreams. Mr Speaker, honourable members, please use the International Day of Disabled Persons, and every day, as an opportunity to raise awareness about the benefits of full accessibility and inclusion.

I'd like to thank Sergio Vazquez and B.J. Shrestha for enabling me to finish my statement in American Sign Language. Full accessibility benefits us all.

**Mr Ted Arnott (Waterloo-Wellington):** I want to thank the Minister of Citizenship and Immigration, who is also the Minister of Children's Services, for her statement today. This is the first time I've had the opportunity to rise in this House as opposition critic for both of her ministries, so I wish to begin by wishing her well as she undertakes these important responsibilities within the government. I also need to let the minister know that I intend to provide constructive advice to her, sometimes in the House, sometimes other ways, and to the government when possible, and provide criticism when necessary and appropriate.

The International Day of Disabled Persons was proclaimed by the United Nations, as was said, in 1992 to promote understanding about disability issues and in-

crease awareness of the gains to be derived from integrating disabled persons into all aspects of political, social, economic and cultural life. I'm certain that I speak for all members of this House when I say that we all support these goals. I also believe that we need to support these goals by thinking of disabled people first and foremost in terms of the remarkable things they can do and contribute. We need to recognize their extraordinary talents, always be improving our society, our systems and all programs and services of the government to ensure that all Ontarians have opportunities to contribute to the greater good.

I commend the member for Burlington, who has spoken in this House today and provided a thoughtful idea to enhance access for disabled people in the public transit system. He also served as Minister of Citizenship in the previous government, which brought forward the Ontarians with Disabilities Act. That act paved the way for the Accessibility Advisory Council of Ontario and entrenched in law the Accessibility Directorate of Ontario.

I too wish recognize Mr Jeff Adams, chair of the Accessibility Advisory Council of Ontario, who is with us in the Speaker's gallery up above.

In the throne speech the government made reference to the need to do more to support Ontarians with disabilities, and I'll quote from the speech: "Your new government will work with Ontarians with disabilities on meaningful legislation that will allow them to fully participate in building a stronger province." While this statement is laudable in a general sense, this commitment has no time frame, no specifics, no way of measuring results, no reference to the involvement of any MPPs in the process, save and except the minister and her parliamentary assistant, I guess, and no plan for implementation. In short, it is nothing more than a motherhood statement which is intended to appease the disabled community for the time being, while little concrete action is likely to be taken in the coming months.

I want to offer the minister a constructive suggestion. She should announce today that the government will support the appointment of a select committee of MPPs on supporting disabled persons. This select committee of MPPs could be charged with the responsibility of reviewing the legislation and the programs that we have, measuring what works and what doesn't, and advising the government on what needs to be done to move toward full participation for disabled persons in Ontario and the goals outlined by the UN. This committee would allow for all three political parties in this House, including the New Democrats, to participate in a meaningful dialogue with disabled persons and participate in a renewed effort to support their needs.

I commend this idea to the government and encourage their consideration.

**Ms Shelley Martel (Nickel Belt):** It's a pleasure for me, on behalf of the New Democratic Party, to make some statements today on the International Day of Disabled Persons.

I want to begin where the minister left off, and that is to point out that her government indeed has made a very



specific commitment to strengthen the Ontarians with Disabilities Act. I'm hope it's one of the first pieces of legislation that comes before this House when we sit again in the spring session.

I have a copy of a letter that was written by her leader, now the Premier, to David Lepofsky. Members will recall that David Lepofsky is the chair of the Ontarians with Disabilities Act Committee. The letter is dated October 27, 1998. He says very clearly:

"As you know, I have personally called many times for Mike Harris to follow through on his campaign promise to introduce and pass such an act. Having heard from my caucus colleagues who joined you at your meetings across the province, it is clear that Ontarians agree this legislation is important and long overdue.

"If Mike Harris fails to live up to his commitment, a Liberal government will act. We will pass an Ontarians with Disabilities Act."

Those of us who were here before know very clearly that the act that was eventually passed doesn't have any teeth, doesn't have any strength, needs very significant amendments if it is to work on behalf of Ontarians with disabilities. I read into the record today this letter because I want to reinforce what the commitment of the now Premier is, and to ensure that the minister, her staff and her colleagues will move forward on what is a very important issue.

Let me make some other concrete suggestions about what else might be done if we are truly to remove barriers that are facing Ontarians with disabilities and to ensure that they are able to contribute to both the economic and social life of Ontario. The first thing that should be done in this Legislature is to pass a bill so that we index ODSP payments to inflation and ensure that there is an annual increase in ODSP benefits. Members will know, because we have been lobbied very frequently, that it has been 10 years since those who live on ODSP pensions have received an increase. There is something dreadfully wrong about a province that is as rich as Ontario is where so many people live in such poverty. It's the same with the minimum wage.

1420

My colleague Tony Martin introduced a private member's bill on two occasions in this Legislature which would have indexed ODSP benefits to the rate of inflation, so that people would see an annual increase. It was a shame that on those occasions we could not get the government's support to get it to committee and to get something done. We had a former Minister of Community, Family and Social Services who promised that people on disability benefits would see an increase—nothing happened. If this new government were truly committed to disabled persons, they would bring that bill in, we would deal with it promptly and we would ensure that some of the people who have the lowest incomes in this province—the disabled—finally see an increase in their pensions.

Secondly, we should audit and catalogue all programs and services for people with disabilities and create a single coordinating body for easy access to programs and

information. We need to bolster the funding that we have for home care so that both seniors and the disabled can remain in their own homes and not be forced into long-term-care institutions, which are much costlier for the system and decrease the dignity of those people. We know that so many people can remain in their own homes. The problem under the previous government was that they continued to cut funding for home care so that people didn't have the choice to remain in their own homes. Your government has to reverse that trend.

We need to assess special-needs children promptly and support them in the public school system. We know there are 37,000 children who are on a waiting list for special needs in the Ontario school system now. Those are children who, with a small bit of support, would be able to participate fully in the education system. We need an investment. It was part of your election promise in the education platform. We need to get rid of those waiting lists for special ed.

We need to introduce a charter of rights for persons with disabilities that will contain very specific commitments for accessible public transit and accessible and affordable public housing. We should be dedicating a portion of transit funding to fully accessible transit, and we should make sure that a portion of that is etched in legislation, particularly in rural areas.

We need to change funding for post-secondary students to recognize that many of these students who are disabled will take longer to complete their post-secondary education. Grant funding should be in place to allow them to do that.

In conclusion, I say to the minister that I've offered a number of concrete suggestions. I hope you will take them into account on this important day.

## MOTIONS

### HOUSE SITTINGS

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr Speaker: I believe we have unanimous consent to revert to motions for the purpose of putting a routine motion without further debate.

**The Speaker (Hon Alvin Curling):** Do we have unanimous consent? Agreed.

**Hon Mr Duncan:** I move that notwithstanding the order of the House dated November 26, 2003, when the House adjourns today at 6 pm it shall stand adjourned until 10 am tomorrow morning.

**The Speaker:** All those in favour, say "aye." I don't hear any nays, so it's carried.

## VISITORS

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I want to introduce a couple of very

important dignitaries to this House: Brother Brendan Mackin, president of the Irish Congress of Trade Unions; and Brother Joe Bowers, chairman of the Massines Association in Ireland, visiting here from Ireland as guests of, amongst others, the Canadian Union of Public Employees. They're accompanied by Daithy Conaughton from the Canadian Ireland Fund and Judy Wilkings of the Canadian Union of Public Employees. I'm pleased to have these brothers from Ireland joining us here in this Legislature today: good trade unionists, active advocates for working women and men.

**The Speaker (Hon Alvin Curling):** Welcome.

May I ask your indulgence to again introduce Mr Brad Clark from Stoney Creek, former member. This time he's here.

## ORAL QUESTIONS

### NUTRIENT MANAGEMENT

**Mr Ernie Hardeman (Oxford):** My question is to the Minister of the Environment. Last Thursday, we heard you tell the House that you had brought all compliance and enforcement requirements to the Nutrient Management Act under the direction of your ministry. You told us your ministry would work with the Minister of Agriculture and consult farmers to ensure all rules were implemented properly.

Imagine my surprise that very evening, while attending a meeting of the Oxford Federation of Agriculture, when I heard the president use his time and his remarks to speak to that issue. He said that transferring the inspection of nutrient management from the Ministry of Agriculture and Food to environment was the single most damaging legislation for farmers your government could be putting in place.

His sentiments were echoed by the Ontario Farm Environmental Coalition, who wrote to both you and the Minister of Agriculture and said, "Ontario farmers are profoundly disappointed with your recent announcement of a major change in direction on Nutrient Management Act regulations without discussion with members of Ontario's farm community. Clearly, the promise for full consultation and transparency ... committed to by the Premier and his cabinet ministers has not been carried out."

Is this the type of treatment Ontario farmers can expect from your government? Is this lack of consultation just another example of a Liberal broken promise?

**Hon Leona Dombrowsky (Minister of the Environment):** I'm happy today to stand in the Legislature and say that this move by the government is a move to keep a promise that was made during the election.

This government intends to implement every one of the O'Connor recommendations. For the member opposite, in part two of the O'Connor report, recommendation number 11: "The Ministry of the Environment should

take the lead role in regulating the potential impacts of farm activities on drinking water sources. The Ministry of Agriculture, Food and Rural Affairs should provide technical support to the Ministry of the Environment and should continue to advise farmers about the protection of drinking water sources." That is exactly what this government will do.

**Mr Hardeman:** I guess it's quite clear that we have a difference of opinion on what "lead" means. You claim you will consult with stakeholders and work with the Minister of Agriculture, yet you have clearly made changes to the legislation that the industry does not want or agree with. The Ontario Environmental Farm Coalition, which includes many large farm organizations as its members, is in definite opposition to the movement of inspection of the Nutrient Management Act from agriculture to the Ministry of the Environment. The farmers this organization represents are convinced that having the Ministry of Agriculture inspect farms and the Ministry of Environment enforcing the regulation is necessary for proper convictions.

To the farmers, the minister responsible for training farmers and approving nutrient management plans should also be the ministry to check compliance. The Ministry of the Environment's role is to investigate and to prosecute farmers where there is clear evidence of offence under the Nutrient Management Act. Your government promised that the Ministry of Agriculture would have a prominent role in the implementation of nutrient management. Now the power has been taken away. Is this another promise broken by the Liberal government to Ontario's farmers?

**Hon Mrs Dombrowsky:** This government has its priorities in the right place. We will work with all stakeholders to ensure that drinking water in the province of Ontario is safe. We will also work to ensure that the Ministry of Agriculture and Food and the Ministry of the Environment play a joint role in working with the agriculture community to implement the Nutrient Management Act. We will not apologize for being responsible and acting to protect the water sources in this province.

1430

**Mr Hardeman:** That is the question, working with farmers. You claim you will consult the stakeholders and work co-operatively with the Minister of Agriculture and Food. You've already broken that promise to the farmers of Ontario. Why else would the Ontario Farm Environmental Coalition say, "The announcement on Wednesday came as a complete surprise to Ontario farm leaders. Given the commitment that the farm organizations have had to the nutrient management process over the past three years, it was disrespectful to make such an announcement without first providing full explanation to farm leaders"?

Perhaps you were also being disrespectful to the Minister of Agriculture when you told the farmers they would not be getting any extra time in the agreed-upon time frame for the implementation of the regulation. They were told they would not be able to wait for public funding to be in place.



The Minister of Agriculture was fully prepared to follow the timeline set out by the previous government, obviously recognizing the need, and then you vetoed that idea in favour of your own agenda.

Can we assume that you do not plan to consult with anyone at all, not even your own government, or should we assume that the Minister of Agriculture's not up to the job?

**Hon Mrs Dombrowsky:** Let me tell you about our own agenda. When the Minister of Agriculture responded, he responded appropriately. What I was referencing was the fact that this government is going to stop the spreading of untreated human septage on farmlands as soon as possible. The calendar that is in place at the present time is that that would not happen for five years. With this government, we're saying that is not acceptable. We want to move forward on that initiative as soon as possible. That's what that reference was to.

I would suggest that the member opposite get his facts straight, do his homework and understand that we take the safety of our communities very seriously, and we're going to act on it.

#### WASTE DISPOSAL

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** My question is also for the Minister of the Environment. Congratulations to the member for Hastings-Frontenac-Lennox and Addington for being appointed environment minister. I should also extend my congratulations to the minister on her most recent appointment as the newest member of the promise-breakers club. I know the competition is fierce, but the minister is clearly going the extra distance to earn her appointment.

Reports indicate unease in Michigan with respect to continuing as Toronto's personal landfill, given environmental and post-9/11 security concerns. The National Post has indicated, "Toronto's Trash is Ticking Bomb for Canada." Given the daily tonnage of garbage that's trucked over the border, there's much at stake.

If the Americans turn away GTA garbage trucks, what is your interim plan to deal with Toronto trash?

**Hon Leona Dombrowsky (Minister of the Environment):** The member opposite would know that the responsibility for managing municipal solid waste is the responsibility of municipalities.

However, I am very delighted to stand in this House and talk about the commitment of our government to waste diversion. It is our plan to divert fully 60% of municipal solid waste away from landfills. We believe that we need to investigate ways to stop simply putting our garbage in landfills. We must explore ways to divert more of it. That is the commitment that this government has made.

**Mr Barrett:** I didn't hear a specific plan for Michigan garbage. Currently, GTA municipalities and their contractors have no viable long-term contingency plan. They don't have a plan for disposal, should there be either an

extended border disruption or a closure. As well, Ontario has no capacity to absorb these exports in the long run.

My question: Are there any plans on behalf of the province for new long-term garbage disposal to deal with Toronto's garbage situation? A second question: Is incineration an option that you're considering?

**Hon Mrs Dombrowsky:** Again, I would say to the member opposite that if he wants to know what Toronto's plans in the future are for their garbage, he should ask the city of Toronto. What I am saying to the members of this House is that this government intends to assist municipalities to divert 60% of their municipal solid waste by the year 2005.

**Mr Barrett:** My question did relate to incineration. It is incumbent on the province to have an overall strategic plan. As environment critic, I've been hearing reports from people who feel shortchanged by the McGuinty government's refusal to live up to its word on Adams mine. There is a connection there. They were given a commitment for a comprehensive review of the environmental assessment process as it relates to Adams mine. Is your government planning on living up to its word and conducting a review, or is this yet again another broken promise?

**Hon Mrs Dombrowsky:** This government is committed to an open and transparent process with respect to communications with citizens and stakeholders around this very important issue. I am open to hearing from people who have issues and concerns around this project. We met as recently as yesterday with some of those individuals. We certainly are intending to be open, and I expect that there will be more information in the near future on this project.

#### WATER QUALITY

**Mr Garfield Dunlop (Simcoe North):** My question today is also for the Minister of the Environment. The question concerns the future development of site 41 in the township of Tiny. It's a very highly sensitive proposal in many ways. Just this Monday in the House you said in a response to the member for Huron-Bruce, and I quote from Hansard, "I'm happy to stand in the House today and say that ensuring clean, safe water is a top priority for this government. We agreed with Justice O'Connor that proper management of our drinking water must be a priority."

I'm assuming this has to include protecting ground-water sources and supplies around future landfill facilities. Are you prepared to stand in this House today and place a moratorium on the development of site 41, which at this time has over 200 recommendations from peer reviews, most of which are related to the possibility of groundwater and surface water contamination?

**Hon Leona Dombrowsky (Minister of the Environment):** With respect to site 41, I have had an opportunity to review that particular issue. At this point in time, the community monitoring committee—which you know includes representatives from the community—has

participated in a peer review. The peer review comments from this committee were forwarded to the ministry, and they are at this point in time being considered by the ministry.

**Mr Dunlop:** Thank you very much, Minister, for that answer and that non-answer.

The peer review actually came up with the 200 recommendations. They're waiting for the ministry to actually approve it.

On November 14, in Alliston, as part of Justice O'Connor's recommendations, you announced the creation of two expert advisory panels on protecting water sources. Just yesterday you stood in this House and promised legislation, and again I quote from Hansard, "to ensure that our source water is protected."

In light of these actions, and in light of your passion for clean and safe water, will you please wait until you have recommendations from your own advisory committee, and will you wait until legislation is passed before you allow staff at the ministry to allow the county of Simcoe to proceed with any further development of site 41?

**Hon Mrs Dombrowsky:** The Ministry of the Environment has received information from the local committee. This is a process—it's not new to this province—that was followed by your government. Staff at the ministry have a responsibility to ensure that whatever is proposed is not going to have a negative impact on the environment. When they have made those assessments, then recommendations may or may not be brought to the minister. I am not going to pre-empt their good work. I trust the people who work at the Ministry of the Environment. I believe that if they have identified, if the community has identified, a reason to be concerned, then people at the Ministry of the Environment will bring that to my attention and I will certainly act to protect the local groundwater.

1440

#### ONTARIO INNOVATION TRUST

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** My question is for the Minister of Economic Development and Trade. The Provincial Auditor identified serious concerns regarding the previous government's establishment of the Ontario Innovation Trust. The auditor points out that the former government failed to put in place even the most basic requirements for reporting and accountability despite the fact that a billion dollars of public funds was committed to the trust. As I understand it, the former Premier, as Minister of Finance, did not set out any provincial expectations or outline how the trust would be accountable. Minister, how is it that a billion dollars in public funds could be committed without any established provincial expectations or accountability requirements?

**Hon Joseph Cordiano (Minister of Economic Development and Trade):** This government shares the grave concerns expressed by the auditor. It was reckless and irresponsible of the previous government to commit

a billion dollars with no accountability. In fact, it was even worse than that; they didn't even make a proper cabinet submission. They didn't even make a good business case for this. They completely ignored any reporting requirements. It showed a total disregard for the public interest and utter contempt for this Legislature Assembly. It's just another case of Tory mismanagement with public funds.

**Ms Broten:** Our government ran on a platform of increased accountability that would put the public interest first. We're committed to ensuring transparency and accountability at all levels of government. It is clear that the former government mismanaged the creation of the Ontario Innovation Trust and ignored their responsibilities to the people of this province. Minister, how do you intend to fix the problems left behind by the former government?

**Hon Mr Cordiano:** Let me reassure every member of this House that this government takes accountability very seriously. We'll make certain that the trust becomes accountable and transparent. I've already expressed my concerns to the trust. They know that this is a new government and that we're going to do business differently. The trust already committed in writing, and I have a letter from them, that they will at the very least appear before legislative committees, they will file annual financial statements and annual reports and be subject to the auditor's reviews. I've got to tell you that the days of Tory mismanagement are over.

#### DUFFINS ROUGE AGRICULTURAL PRESERVE

**Mr Tim Hudak (Erie-Lincoln):** My question is to the Minister of the Environment. I met yesterday with some environmentalists who are very concerned about your Premier's broken promise on the Oak Ridges moraine. They informed me that the former mayor of Pickering, now your MPP for Pickering-Ajax-Uxbridge, has commissioned a study financed by local developers that has called for development on the Duffins Rouge agricultural preserve. Minister, can you commit to the House today that you will rip up your member's report and not allow one stalk of corn or one soy plant to be developed locally? Will you commit to the environmentalists' request?

**Hon Leona Dombrowsky (Minister of the Environment):** No.

**Mr Tim Hudak (Erie-Lincoln):** Well, I have a letter in my hand that reads as follows: "We will build a Golden Horseshoe greenbelt by linking the lands already protected in the Niagara Escarpment, enacting real protection for the Oak Ridges moraine and protecting all of the land on the Dufferin-Rouge Agricultural Preserve."

Madam Minister, this is signed by your leader and Premier of Ontario, committing to preserve 100% of that land. You just told me that you will not commit to protecting 100% of this land. It's another campaign flip-flop, another broken promise. I am going to ask a page to



bring this over to you. Could you identify whether this is Premier McGuinty's signature on the bottom of the page, and then could you rip it up to demonstrate the value of the Premier's words.

**Hon Mrs Dombrowsky:** I'm very happy to stand in this House and talk about the commitment of this government to greenbelt protection of the province of Ontario. If you want to play around with words, that's one thing, but there's no question that this government is going to move ahead. We are going to protect a greenbelt around the Golden Horseshoe and we are very proud to say that there will not be a government in history that has moved in the scope that we are intending to move in.

### PUBLIC HEALTH

**Mr Shafiq Qaadri (Etobicoke North):** My question is for the Honourable George Smitherman, the Minister of Health and Long-Term Care. Sir, it seems to me that the former government did not take public health seriously. I ask this question of you, with particular import not only as the representative of the great riding of Etobicoke North, but also as a physician. There are four areas in particular.

According to the auditor, the previous government left us very weak in our ability to respond to new diseases like West Nile and SARS. It seems to me that steps were not taken to control the spread of communicable diseases.

As well, I'd like to inform the House that 80% of health units surveyed indicated that they encountered problems for effectively enforcing the Tobacco Control Act. I think an area that is especially important to those of us who are entrusted with children in our various responsibilities is that at least 14% of children have not received the required vaccination by age 7.

My question is Minister, how could the previous government ignore all the warnings that our public health system was heading for disaster?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I'm delighted to have the opportunity to answer a question from the fine member for Etobicoke North.

*Interjection.*

**Hon Mr Smitherman:** Yes, he's a doctor. Yesterday, we were all saddened and astonished to learn about the extent to which this party, when they were in government, didn't do their job with respect to public health. The Progressive Conservative Party, when they were government in Ontario, didn't fulfill their obligation to protect the public health of Ontarians. Protecting the public health of Ontarians is job one for our government, and we're committed to move on with the job because they were unable to do it.

Today in the House is the member for Kitchener-Waterloo. When she was the Minister of Health, seven communities suffered from not having a chief medical officer of health to help direct the necessary public health programs in their community. That's a situation that is

intolerable, and it will not be tolerated under our government.

**Mr Qaadri:** After the lessons of Walkerton, it seems that the provincial government was supposed to make dramatic improvements to public health in Ontario. Again, it seems these problems that were raised by the auditor are perpetual—they were raised in 1997. In fact, some health programs were receiving the same level of funding as they received in 1991. It has also been brought to light that there were no regular assessments of health units for the past five years. Apparently, the previous government has simply ignored the warnings about public health. It seems to me that this reckless behaviour puts the lives of Ontarians at risk. Minister, how will you address these problems the previous government has simply ignored?

**Hon Mr Smitherman:** I give the member this assurance and I give this to all members of the House and to the people of Ontario: We take the responsibility of protecting the public health of Ontarians more seriously than ever. In this province we had opportunities to learn lessons, and we have learned them. I'm very much looking forward to receiving a report from Dr David Walker, who has been leading an expert panel that next week will give us further advice, direction and guidance with respect to restoring confidence in the essential public health services in this province. The people of Ontario can expect from this government to see early action on commitments that are designed to make sure that we do our job, and that is to adequately protect the public health of the people of the province.

1450

### SALT SPILL

**Mr Norm Miller (Parry Sound-Muskoka):** My question is for the Minister of the Environment. On Monday morning a 34-tonne truck spilled an unknown quantity of road salt into Lake Rosseau within my riding of Parry Sound-Muskoka. I would like to know what is being done to clean up this spill and what the protocol is for notifying members of environmental spills within their riding.

**Hon Leona Dombrowsky (Minister of the Environment):** The member has brought to the attention of this House a very serious issue. We are very concerned when we hear that there is any event that jeopardizes the local environment or the larger environment.

I was notified that the spill did occur and I am receiving information in terms of what has happened locally, what actions have been taken by the Ministry of the Environment to ensure that the people who need to be notified have been and that there is appropriate remediation taking place.

**Mr Miller:** Yes, minister, I would think that your need-to-notify list also includes the member for the riding. Minister, I first heard of this spill from municipal officials and from MCTV, who contacted my office to ask for my assistance in getting a response from your

ministry. Let me repeat that: MCTV called my office to get a response from your ministry because your ministry wouldn't respond. I would think it is a common courtesy to inform members of environmental events that occur in their riding, not to mention the service to constituents who call a member's office looking for information. Please tell me, minister, why your staff are not responding to MCTV's inquiries about this spill.

**Hon Mrs Dombrowsky:** I cannot believe that a member of the opposition is standing in his place and suggesting that this government somehow isn't appropriately notifying people within the community, not when they have the record they have. Talk about Walkerton. When were those people notified? How long did it take your government to respond and to notify the people in that community? I think that it's totally unacceptable that they would bring this sort of question to the attention of this House.

### COURT BACKLOG

**Mr Howard Hampton (Kenora-Rainy River):** Mr Speaker, I believe I have unanimous consent for New Democrats to ask a question of the government.

**The Speaker (Hon Alvin Curling):** Do I have the unanimous consent of the House for the third party to ask a question? Yes.

**Mr Hampton:** My question is for the Premier. Premier, the Provincial Auditor has issued a red alert to Ontario's criminal courts. He says Ontario's criminal courts have the highest backlog of criminal cases in 10 years: over 100,000. In some locations—Ottawa, Toronto, Brampton—it takes up to a year before serious criminal charges can be scheduled for even one day of trial. As a result of these delays, witnesses forget their evidence, charges are being withdrawn and some very serious criminal charges—murder, sexual assault—are in danger of being thrown out. Premier, what is your government's plan to address this very serious problem before very serious criminal charges are thrown out because of undue delay in scheduling a trial?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I want to thank the member for his question. I must tell him that I share his concerns. We were taken aback, frankly, by the Provincial Auditor's report, which demonstrated so clearly the extent of just how far we have fallen behind after the Tory government. I can tell the member opposite that we have already hired, I believe, some 10 judges.

I know the member opposite is particularly sensitive to this because, as I understand it, he was the Attorney General when the Askov decision came down and had to grapple with that particular aspect, so I'm sure that the member opposite will have more questions and I'm sure that the Attorney General will be glad to expand.

**Mr Hampton:** I wanted to know what is your government's plan, and I didn't hear a plan. Let me say this: You need a plan now, not two years from now, but a plan to ensure that serious criminal charges are not lost and

thrown out of the system because of unreasonable delay in bringing them to trial.

Now, Premier, I don't know how you could be surprised, because this is the 2003 auditor's report. The auditor reported on this back in 1998 and said that the list was growing, that the backlog was growing, so this can't be a surprise at all. What is your government's plan? Are you going to say, "Oh, the deficit won't allow us to do anything?" or do you have a plan? What is it?

**Hon Mr McGuinty:** I'm sure the Attorney General would like to expand on this.

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** I thank the member for the question. You're right, this is a very serious matter. We were very concerned before forming government about the state of the Tory backlog. But the auditor's report has got the people of Ontario extremely concerned about the state of our justice system, and this government has and will be acting upon it.

We have already appointed 10 new justices to the Ontario Court of Justice. We have another 10 appointments that will be made. We will be hiring 50 additional crown prosecutors. We will be hiring additional court services workers and we are in the process of doing it right now. We are going to be assigning additional crown attorneys to deal with the particular problem areas so that we can blitz the backlogs where they are at their worst. We are going to be moving forward with procedural reforms to expedite matters to reduce the number of cases that were adjourned. We already have, and we are doing everything we can to bring back some confidence in the justice system, which has received a very injudicious backlog from the previous government. We have already done something and we are taking a brand new direction—

**The Speaker:** Thank you.

### WATER QUALITY

**Mr John Milloy (Kitchener Centre):** My question is for the Minister of the Environment. Despite the Walkerton disaster and the O'Connor report, the Provincial Auditor revealed yesterday that the previous government had little regard for protecting Ontario's safe drinking water. Let me just cite a few examples: Waterworks were not submitting a minimum number of water samples for two of the highest-risk substances, E coli bacteria and fecal coliform; hundreds of drinking water treatment plants were not inspected; and more than 1,000 registered non-municipal waterworks provided no test results.

Would the minister comment on the auditor's report and tell the people of Ontario what these findings have to say about the mismanagement of our water safety under the previous government.

**Hon Leona Dombrowsky (Minister of the Environment):** Certainly I share the member's concern over what was revealed yesterday in the auditor's report. I was very



disturbed with what we had suspected, but certainly not to the degree that was revealed yesterday. Clearly, the previous government left us with a very serious environmental deficit that we are now going to have to deal with.

A basic responsibility of government of course is to keep drinking water safe, and if Walkerton has taught us anything, it has taught us that. Yet 300 of 1,476 non-municipal waterworks have never submitted any tests; 27% of the registered waterworks haven't submitted the minimum number of water samples for E coli bacteria and fecal coliform.

**Mr Milloy:** The list of failings discovered by the auditor continues. Since 2001, there have been over 6,500 water exceedances, 45% of which were at levels that could affect human health. Furthermore, total inspection activity is at just 73% of 1995 levels. There are no records of the problems being followed up or resolved.

It's hard not to question the previous government's commitment to safe drinking water. I ask the minister to say what she will do to ensure safe drinking water for the people of Ontario.

**Hon Mrs Dombrowsky:** I can assure the member opposite that this government is most definitely going to address this serious issue. We will not shirk our responsibility as the previous government did.

I can assure you that under my watch the ministry's drinking water information system will be upgraded so that this does not happen, and to ensure that the quality of our drinking water is properly monitored and that timely inspections and follow-ups do occur.

I have asked my ministry to review the Provincial Auditor's report and to bring back to me within two weeks how our ministry is going to address this serious issue so that the people in Ontario can be confident in their water.

1500

#### LINCOLN ALEXANDER EXPRESSWAY

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I have a further question for the Minister of the Environment. Several weeks ago, I had the pleasure of meeting and chatting with the Lake Ontario waterkeepers regarding the Red Hill Valley and the expressway. I'll mention that Marilyn Churley-NDP also met with these good people right here at Queen's Park.

Minister, I've read reports that you've had problems identifying where the Red Hill Valley is located. Have you been able to find your way clear to meet with people concerned about the Red Hill situation?

**Hon Leona Dombrowsky (Minister of the Environment):** I'm very aware of the issues with respect to the Red Hill Creek Expressway. I believe it's also known as that. It's important to remind everyone here that there has been a full environmental assessment done of the Red Hill Creek Expressway. It was an environmental assessment that was in place when the NDP government was in power in this province as well. No new information has

been brought to my ministry. You would know the process that would enable me to make some special considerations around the environmental assessment.

I can say to the member opposite that I will be very open to receiving any new information around this project.

**Mr Barrett:** My question was, have you had a chance to meet with them? They would very much like to chat with you. You indicate no new developments in the previous 17 or 18 years. I will draw to the attention of you and your ministry two developments. As you will know, I'm sure, toxic waste from a neighbouring landfill entered Red Hill Creek a number of years ago, within that 18-year window. Secondly, there is requirement to remove rock from part of the Niagara Escarpment. Does this new information that I am presenting to you qualify? Does it impact the social, economic or scientific evidence needed to grant a review of this project?

**The Speaker (Hon Alvin Curling):** Question.

**Mr Barrett:** Can you tell these people concerned, the waterkeepers, the aboriginal people from my riding and Six Nations—can you tell them today in this House, are you reviewing the Red Hill project?

**Hon Mrs Dombrowsky:** With respect to the question from the member opposite, perhaps the information that he's brought to the floor of the Legislature today is new to him. It is not new to me and it is not new to the ministry. I'd like to inform the member opposite that as part of the environmental assessment, and some years ago, the contamination he's referred to was identified. It is part of the plan for the expressway that the proponent will deal with that in an appropriate fashion, and the Ministry of the Environment has a responsibility to ensure that the terms of the environmental assessment and how these things are managed are carried out safely and will protect the environment, and that is exactly what the Ministry of the Environment is prepared to do.

#### HOSPITALS

**Mr Richard Patten (Ottawa Centre):** My question is for the Minister of Health and Long-Term Care. On Friday, November 21, 2003, our Ontario Liberal government held true to its word and announced that the new Royal Ottawa Hospital, which resides in my riding, will be built without delay as a publicly owned hospital. The news was not only well received, people were exceedingly happy with the news following weeks of anxiety about the future of the project. This commitment means hope for a lot of patients, for a lot of people in the community and a lot of families.

I accompanied the Premier when he made the announcement. We pointed out that the Royal Ottawa Hospital is obviously—

**The Speaker (Hon Alvin Curling):** Question.

**Mr Patten:** —an important hospital not only to Ottawa but also to the people of eastern Ontario.

Minister, can you please clarify the arrangement that is different from this public-private partnership than

arrangements that were previously negotiated with the previous government?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I'm very honoured to have an opportunity to answer the question from the member from Ottawa Centre. Indeed, we fulfilled our campaign commitment, which is to bring these private hospitals into the public domain. How do we do that? We take deals that were cloaked in secrecy and we make those public. That's public accountability.

We have inserted language and forced language to be inserted into the contract that very clearly stakes out the territory and responsibility of the public hospital corporation that will run that hospital just as other hospitals are run in our province. That's public control. We have made sure that the property, the title, the land and the buildings never leave the public domain as was planned under the deal that they offered. That is public ownership.

Public control, public accountability and public ownership make these public hospitals, and these are hospitals that the community in Ottawa and the community in Brampton will be very proud of, as will all members of this House and all citizens of the province.

**Mr Patten:** In this instance, the press sometimes forgets some aspects. I'm glad you had a chance to clarify that it's not always just the finances, it's who controls something, it's who relates to the contractors: Do the contractors have control or does the hospital and the ministry? I'm glad you clarified that.

In some recent reports there was some very hard-hitting analysis of P3 models and I wonder if you could elaborate on that and your view of what this means for new hospitals and medical services in the future.

**Hon Mr Smitherman:** What we're delighted about with these deals is that we've been able to take them back from private sector control, and control is an operative word because at the end of the day it's about who makes decisions and who offers direction. Under their deal, under the deal of the past government, they were very happy to sign over the responsibility for controlling these facilities to the private sector. We reject outright the notion that in our public health system we can allow for private entities to run things, to be in charge and to be in control.

The party across the way that had the honour and opportunity of being the government in Ontario for eight long years sold out our public hospitals. They were prepared to sell out our public health system and begin to introduce even more opportunities for private sector involvement. We said no. We started to scale that back. Anyone who suggests that public ownership and public control are not important things obviously doesn't understand the distinctions. I've been a landlord, I've been a tenant and I've been a homeowner, and I understand these differences. Public hospital boards that have always controlled our public hospitals in Ontario are back in charge in Ottawa, they're back in charge in Brampton, and these are hospitals that we should be very proud of.

## LANDFILL

**Mr Garfield Dunlop (Simcoe North):** My question again is to the Minister of the Environment. I have to tell you that I was very disappointed in her response to the member for Parry Sound-Muskoka. I don't know why she got so mad. He only asked why the ministry would not respond to the local TV station or contact his office. I think that's only common courtesy when there's a salt spill or any kind of tragedy like that.

But, Minister, what I want to know is, why did you and Dalton McGuinty and the Attorney General break your promise to the people of Napanee on withdrawing the appeal on the terms of reference for the expansion of the Richmond landfill?

**Hon Leona Dombrowsky (Minister of the Environment):** I'm very happy to stand in this House this afternoon and say to the people of Ontario and say to the members opposite, we kept our promise. My ministry filed a motion to abandon the appeal and that is exactly what we committed to the people on the Richmond issue.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. Am I observing that the member for Simcoe North has a picture of the minister on the back of that?

**Mr Dunlop:** Yes.

**The Speaker:** I don't want any placards or things like that in here. I don't want that in the House. Thanks.

**Mr Dunlop:** Maybe the minister wouldn't mind telling the whole story the next time, about Mr Bryant's involvement in this particular—

*Interjections.*

**The Speaker:** Order.

**Mr Dunlop:** Thank you very much. Minister, on behalf of the citizens of Napanee, are you committed to stopping the expansion of the Richmond landfill?

**Hon Mrs Dombrowsky:** I have to tell you that I really am surprised. I am certainly surprised with the new-found interest in the environment from the member of the Conservative Party. It's taken them eight years. I am delighted to answer the questions coming to me from the opposition, because it demonstrates to me, obviously, a new-found interest in the environment and its protection. Hopefully when we introduce our initiatives, they will get the full support of the members of the opposition. I am committed to protecting the environment in Napanee as well.

1510

## HYDRO RATES

**Mrs Liz Sandals (Guelph-Wellington):** My question is for the Minister of Energy. We have taken immediate and decisive steps to address the problems in the electricity system. However, many of my constituents are concerned that they will pay a disproportionate amount for the price of energy they consume. Many of those who are concerned are low-volume users. Will they be forced



to bear the burden for 12 years of mismanagement of our electricity system by the Conservatives and NDP?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** The plan we put forward, which is going to be subject to committee hearings, which hasn't been the case in many bills of this instance in many years, does protect small consumers. There's a threshold of 750 kilowatt hours per month at which they'll pay the lower rate. It is an incentive for conservation. In spite of what the NDP says, it's one of the largest steps toward conservation that we've seen in the history of this province.

So the short answer is, your constituents will—and I believe most Ontarians accept that we all have to pay the market price or a fair reflection of the market price. We believe our bill has gone a long way to shield those consumers of more modest means who consume smaller amounts of energy any given month.

**Mrs Sandals:** Since the August blackout, most Ontarians are aware that conservation is essential, and I thank you for your interest in that. As you know, the previous government, just like they had very little concern with the environment, also had very limited concern about conservation. How will our changes to electricity pricing promote conservation?

**Hon Mr Duncan:** Well, you're certainly right, the NDP government cancelled conservation programs. The Tory government, the previous government—let me just tell you what their former energy minister said. Former Energy Minister Jim Wilson told Report on Business, "The private sector asked us to get out of large-scale government conservation programs. They may have made the odd person feel good, but they had absolutely no effect."

That is not the position of this government. We reject it, just as we reject their entire energy policy. The position of this government is that conservation is essential to ensuring long-term security and relatively fair pricing on electricity. Unlike the NDP, which cancelled conservation programs, we're moving forward with conservation programs. Embedded in the policy we announced—

**Ms Marilyn Churley (Toronto-Danforth):** What a lie.

**The Speaker (Hon Alvin Curling):** Order. The member from Toronto-Danforth knows that that's not parliamentary.

**Ms Churley:** But that wasn't the truth that he just said, and I'm not going to withdraw it.

**The Speaker:** Order. I'm going to ask the member to withdraw. If she refuses, I'm going to name the member.

**Ms Churley:** No.

*Ms Churley was escorted from the chamber.*

**The Speaker:** Minister.

**Hon Mr Duncan:** Embedded in this policy are two initiatives toward conservation: First is the tiered pricing; second is a \$225-million commitment through our LDCs to the broader community aimed at encouraging the use of time-of-use metering, interval metering, something

that will save consumers money in the long term and will help us deliver an affordable, adequate supply of reasonably priced energy well into the future.

## COURT BACKLOG

**Mr Norman W. Sterling (Lanark-Carleton):** My question is to the Premier. Mr Premier, you know that before October 2 the previous government had taken significant steps to deal with the court backlog situation. You knew yesterday that the auditor's report was out of date with regard to the criticism with regard to the court backlog situation. Do you think you have fairly characterized the past government's actions to deal with this problem?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The auditor was very clear in the report that we received yesterday, just as he was very clear in his review of the state of the finances of the province. In both cases, representatives of that government maintain that they cannot agree with what Mr Peters said.

I say, if we are given the choice on this side of the House between the opinion of Mr Peters, the former Provincial Auditor for the province of Ontario, and the former government, we're with Mr Peters.

**Mr Sterling:** Mr Premier, you know that on June 30 this government pledged \$16 million to hire 15 new judges, at least 36 crown attorneys and other courtroom staff. On August 12, I wrote to the judicial advisory committee to ask them to hire those judges.

I believe that a responsible Premier has to present the facts as they are. The former government dealt with the situation and you are not being straight-up with the people of Ontario with regard to our actions. Mr Premier, would you now withdraw your criticism of the former Attorney General and the former Ministry of the Attorney General with regard to this matter?

**Hon Mr McGuinty:** Here is what Mr Peters said with respect to a matter which the member is obviously very sensitive about. He's telling us that the Ontario Court of Justice has the highest backlog in 10 years. He told us there has been little progress since 1997. He said there is \$60 million in uncollected fines. He listed security risks at our courthouses, including theft, assault, weapons and sabotage. That is the bible according to Mr Peters. I again say to the member opposite, if we have the choice between believing Mr Peters and representatives of this government, we're with Mr Peters.

## GO TRANSIT

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** My question is for the Minister of Public Infrastructure Renewal. GO Transit is an incredibly important service for the people of my riding and other ridings. As the population grows in those areas, so does the need for GO Transit to meet the demands of the system. Improvements to the service, however, could be interrupted.

Development charge bylaws in the 905 regions are set to expire on December 31 of this year. If these bylaws are not extended, the flow of municipal funding for GO Transit growth projects could be disrupted. This will make it difficult for municipalities to ensure that there is enough GO Transit capital to serve the expanding needs of GO Transit. Minister, what's being done to ensure municipalities have the necessary money for Go Transit capital?

**The Speaker (Hon Alvin Curling):** The Minister of Public Infrastructure and Renewal.

**Hon David Caplan (Minister of Public Infrastructure Renewal):** It doesn't roll off the tongue, Speaker, but thank you. I want to congratulate the member on his election and thank him for the question.

GO Transit does play a vital role in moving people safely in and out of the 905 region. That is why my colleague the Minister of Finance, as part of Bill 2, introduced an amendment that, if passed by this House, would allow municipalities to continue to collect development charges to support important GO Transit expansion initiatives, expansion initiatives like increasing the parking on GO lots, adding more trains on the lines. The interim measure, if passed by this House, would allow us to maintain the existing funding framework by allowing municipalities to charge the development fees. Our government is committed to investing in public transit because we believe that it will ease gridlock, build up our quality of life and build our economy.

1520

**Mr Arthurs:** That will certainly be welcome news for the 905 municipalities as they work through the beginning of their new year. GO Transit, though, is just one aspect of municipal systems. It's a hassle for people to make their way through the tangled web of transit services, not to mention the headaches caused by being stuck in gridlock on a daily basis. People want to know what steps are being taken to coordinate and improve all aspects of transit in the GTA. People want to know that this government's commitment to a seamless system is genuine. What will the Greater Toronto Transportation Authority do to address the transportation issues facing many of my constituents?

**Hon Mr Caplan:** Our government is committed to easing gridlock. Since the announcement in the throne speech of the Greater Toronto Transportation Authority, we have received wide support from the chair of GO, from the chair of transit authorities and from stakeholders across this province. We are committed to making the necessary improvements that are going to coordinate, plan and expand our transit systems. The Greater Toronto Transportation Authority is a necessary first step to get that job done. We're going to start a new dialogue between transit partners and between municipalities as we plan future initiatives and improvements to the service we have.

As a first task, the Greater Toronto Transportation Authority is going to be asked to implement a one-pass fare system to provide that seamless coordinated transit

system. I am very excited about this and I want to thank the member for his question.

## SEPTIC SYSTEMS

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):** I would like to address this question to the Minister of the Environment. First of all, I'd like to congratulate the minister for her appointment to the ministry.

In your party's election platform, you announced that if elected you would immediately ban the spreading of raw human waste on fields. You reiterated that position today in the House, knowing full well that the facilities to deal with this increased volume do not currently exist. My question to the minister is this: Specifically, how much money have you allocated or earmarked to assist rural municipalities in disposing of waste from the thousands of homes throughout rural Ontario that are currently on septic systems, from the tens of thousands in my riding alone?

**Hon Leona Dombrowsky (Minister of the Environment):** I thank the honourable member for his question. I'm not aware that rural municipalities have any obligation to support private homeowners in managing their septic systems. I'm certainly not aware of a program that the previous government had. It strikes me strange now that the member opposite suggests this government should assume that responsibility.

We have taken the recommendations of the Walkerton inquiry, the O'Connor report, very seriously. I am very proud to say that it has been the commitment of this government to stop the spreading of untreated human septage as soon as possible.

**Mr Yakabuski:** Minister, are you suggesting to this House that each individual rural homeowner in the province of Ontario will now be fully responsible for dealing with the septage from their system?

**Hon Mrs Dombrowsky:** That has been the case in Ontario these many years. I don't remember any commitment that we would do otherwise. However, I am very happy to report to this house that the Ministry of the Environment has formed a working group and we are working with stakeholders to explore and investigate ways to ensure that this very unhealthy practice of spreading untreated human septage on our farm fields is stopped as soon as possible. Your party was only going to do it in the next five years. We're going to do it as soon as possible, and I'm very proud of that commitment.

## MINIMUM WAGE

**Mr Dominic Agostino (Hamilton East):** My question is to the Minister of Labour. I was pleased to hear our announcement in regard to the minimum wage being raised in Ontario. Many of us who represent ridings of people who are working at the minimum wage certainly saw this as a long-overdue raise to a group of people who basically have been ignored. Eight years of this government—not one cent to minimum wage earners. Finally



there's a government here that understands the plight of the working poor, the plight of people who need assistance, the plight of people who are struggling to get by. That announcement will certainly help from that perspective.

Minister, I want to ask if you can outline for this House the implementation process for this new increase to \$8 an hour over a four-year period and the kind of impact it may have on people who are now working and have been working for minimum wage for the last eight years.

**Hon Christopher Bentley (Minister of Labour):** I thank the member for his question. This is a very important issue, because minimum wage earners have been shut out of the prosperity of Ontario for almost nine years now. It was time they shared in the prosperity which is this province.

The other day I rose in this House and announced that for the first time in almost nine years there would be an increase in the minimum wage for minimum wage earners. Almost 11% in the year 2000 were earning up to or below \$8 an hour. It's time they had a raise in their wages, and we're going to do that.

That raise is going to take effect, the first instalment, on February 1, 2004, and every February 1 thereafter until it's raised to \$8 an hour for the general minimum wage on February 1, 2007—the first time they've received a minimum wage increase in almost nine years. I thank the member for the question.

**Hon Leona Dombrowsky (Minister of the Environment):** On a point of order, Mr Speaker: The member for Parry Sound-Muskoka raised a very important issue around the ministry not contacting a local television station, and I do have proof that in fact the ministry did contact the station. I have the transcript, and I will send—

**The Speaker (Hon Alvin Curling):** That isn't a point of order.

## PETITIONS

### PUBLIC SAFETY

**Mr Lorenzo Berardinetti (Scarborough Southwest):** I would like to file a petition with the Legislative Assembly of Ontario and just read it into the record.

"Whereas the Provincial Auditor, on December 2, 2003, released his report stating the previous government wasted taxpayers' money by failing to provide services that have gone unheeded in some cases for as long as a decade, such as a 65% increase in criminal charges taking more than eight months to get into courts, failing to enforce \$1.3 billion in support payments to mothers and children, and a failure of more than one quarter of Ontario's waterworks to submit the minimum number of samples of two of the highest-risk substances, including E coli bacteria, in the year 2000;

"We, the undersigned, petition the Legislative Assembly of Ontario so that the new Liberal government not allow such incredulous, reckless mismanagement to ever occur again."

I'd like to file that with the assembly today.

### SENIORS' PROPERTY TAX CREDIT

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I have a petition titled, "Don't Scrap the Seniors' Property Tax Credit."

"Whereas Liberal leader Dalton McGuinty has announced plans to scrap the Ontario Home Property Tax Relief for Seniors Act, eliminating this tax break for renters and owners; and

"Whereas this tax relief would help Ontario seniors remain in their own apartments and houses, and assist them to meet rising costs; and

"Whereas this tax relief program would provide \$450 million in net benefits for 945,000 senior households;

"We, the undersigned, respectfully petition the Parliament of Ontario as follows:

"That the government of Ontario support Ontario seniors and help them remain in their own homes by maintaining the PCs' Ontario home property tax relief for seniors program and rejecting any proposal to take this tax break away from our senior citizens."

I sign this petition.

1530

### TUITION

**Mr Tony Ruprecht (Davenport):** I have a petition addressed to the Parliament of Ontario from the student association of George Brown College, Local 92, Canadian Federation of Students. It reads as follows:

"Whereas average tuition fees in Ontario are the second-highest in Canada; and

"Whereas average undergraduate tuition fees in Ontario have more than doubled in the past 10 years; and

"Whereas tuition fees for deregulated programs have, in certain cases, doubled and even tripled; and

"Whereas Statistics Canada has documented a link between increasing tuition fees and diminishing access to post-secondary education; and

"Whereas four other provincial governments have taken a leadership role by freezing and reducing tuition fees;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Freeze tuition fees for all programs at their current levels; and

"Take steps to reduce the tuition fees of all graduate programs, post-diploma programs and professional programs for which tuition fees have been deregulated since 1998."

Since I agree with this petition, I'm delighted to sign my name to it.

## SMALL BUSINESS TAX RELIEF

**Mr Ernie Hardeman (Oxford):** I have a petition to the Legislative Assembly of Ontario signed by a great number of constituents who have a great interest in this issue.

"Whereas business tax cuts have helped fuel the strongest economic and job growth ever seen in Canada; and

"Whereas corporate income taxes on the smaller businesses that create most of our new jobs have been scheduled to be reduced to 5% in 2004 and 4% in 2005; and

"Whereas the corporate income tax rate for manufacturing and processing firms has been scheduled to be cut to 10% for 2004, 9% for 2005 and 8% for 2006; and

"Whereas the general corporate income tax rate has been scheduled to be 11% for 2004, 9.5% for 2005 and 8% for 2006; and

"Whereas the capital tax on employers is on the road to be cut by 10% in 2004, with the plan to scrap it entirely;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the government of Ontario stay the course and maintain the scheduled tax reductions for job-creating businesses."

Again, it's been signed by a great number of constituents and I will add my name to the list of their signatures.

## MUNICIPAL RESTRUCTURING

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I rise in my place today to present the results of several months' efforts by a group known as Free Flamborough. Five representatives are here today, and I'd like the House to acknowledge them. Over the last several months they have been gathering signatures, and I'm pleased to report that there are 11,129 names. Over 50% of the eligible voters in the town of Flamborough have signed this petition.

"To the Legislative Assembly of Ontario:

"Whereas the citizens of Flamborough had no direct say in the creation of the new super city of Hamilton; and

"Whereas the government by regulation and legislation forced the recent amalgamation, against the overwhelming majority of the people of Flamborough; and

"Whereas the government has not delivered the promised streamlined, more efficient and accountable local government, nor the provision of better services or reduced costs," as promised; and

"Whereas the promise of tax decreases has not been met, with an average increase of 30% since amalgamation, and the expected transition costs to area taxpayers of this forced amalgamation have already exceeded the promised amount by 88%;

"Be it resolved that we, the undersigned, demand that the Legislative Assembly of Ontario immediately rescind

this forced amalgamation order, return our local municipal government back to the local citizens and their democratically elected officials in Flamborough, and in so doing remove the bureaucratic, inefficient, single-tier governance it has imposed on the residents of Flamborough."

I offer that up. We may need more than one page to carry them to the Clerk's office, although Emma looks eminently strong enough to do this.

## SCHOOL CLOSURES

**Mr Tony Ruprecht (Davenport):** I have a petition addressed to the Legislative Assembly of Ontario which reads as follows:

"Whereas Hughes Public School at 17 Innes Avenue in the city of Toronto closed down and its premises have been declared surplus by the Toronto District School Board;

"Whereas the city of Toronto has issued a building permit to the Toronto District School Board permitting the reconstruction of Hughes Public School for an entity called Beatrice House, for the purpose of a private academic school;

"Whereas the Beatrice House is not a private school registered with the Ministry of Education, nor a mident has been issued to that organization;

"Whereas within the context of the zoning bylaw (438-86) the subject lands have been designated as R2 Z0.6 a 'private academic, philanthropic or religious school';

"Whereas the Toronto District School Board has chosen not to lease the subject premises to a computer training company for \$1.25 million annually. Instead the board has chosen to lease it to the Beatrice House for a fraction of the current market value;

"Whereas the lease has not been signed between the Toronto District School Board and Beatrice House, while renovations to the building are underway;

"Whereas local taxpayers' concerns have been ignored have been ignored by the Toronto District School Board;

"Whereas other locations, such as the Brother Edmund Rice School at 55 Pelham Park, or the Earls court Public School at 29 Ascot, which are being closed down, have been offered to Beatrice House to no avail;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Honourable Minister of Education investigate the leasing arrangement between the Toronto District School Board and Beatrice House inasmuch as:

"(1) Boards are to seek fair market value when selling, leasing or otherwise disposing of schools, except that the price for the property not to exceed the value of the ministry's grant for the new pupil places when the purchaser is coterminus board, a provincial school, or a publicly funded care and treatment facility offering programs leading to a diploma.

"(2) Boards are to offer the property to coterminus boards and other public agencies operating in the area in



accordance with the priority order currently specified in regulation 444/98.

“(3) Toronto District School Board has not dealt in good faith with our neighbourhood residents.

“Therefore, we respectfully ask you to consider our plea for justice. The Toronto District School Board has ignored our concerns and due diligence. We as a community tried everything within our power to fight the glaring and obvious wrong done to us, to no avail.”

## ORDERS OF THE DAY

### AUTOMOBILE INSURANCE RATE STABILIZATION ACT, 2003

#### LOI DE 2003 SUR LA STABILISATION DES TAUX D'ASSURANCE-AUTOMOBILE

Resuming the debate adjourned on December 2, 2003 on the motion for second reading of Bill 5, An Act to temporarily freeze automobile insurance rates for private passenger vehicles and to provide for the review and regulation of risk classification systems and automobile insurance rates for private passenger vehicles / *Projet de loi 5, Loi visant à geler temporairement les taux d'assurance-automobile dans les cas des voitures de tourisme et à prévoir l'examen et la réglementation des systèmes de classement des risques et des taux d'assurance-automobile les concernant.*

**The Acting Speaker (Mr Bruce Crozier):** When we last dealt with this issue, the member for Waterloo-Wellington had completed his remarks, so I would call for questions and comments. The member from Timiskaming—Timmins-James Bay.

**Mr Gilles Bisson (Timmins-James Bay):** Timiskaming is south of Timmins-James Bay, Mr Speaker, and there's somebody else in that riding. I wouldn't want to push him out just yet. We'll wait four years.

I listened intently to the comments made by the member in regard to this whole auto insurance fiasco. I just want to say, I agree with part of what he said, but I have a little bit of a problem on the other part of what he said.

Let me start with the first part. First, this plan is going to do nothing, quite frankly, in order to really assist people to get their rates down. The government ran on a promise that they were going to reduce people's auto insurance within a 90-day period by 20%. A 20% reduction from an increase of \$800 a month to \$4,600, which is what some people are now paying, doesn't cut it. I've got people in my constituency who had a bill last year of about \$800. Because of no fault of their own, they're in a situation where their automobile insurance has gone up to \$4,600. So, even if the government was to carry through on the promise they made in the election, the 20% doesn't cut it.

1540

First of all, this bill does not roll back rates by 20%. What it purportedly does is freeze auto insurance rates at elevated rates that insurance companies have already passed on to consumers. The problem is that section 6 of the bill—that's called the Mack truck section—says that any insurance company that is having financial difficulties is able to pass on an increase to the consumer. I just want to point out that that's basically what's in the current legislation. Section 6 is not verbatim but it's basically the same type of provision that we have in the existing legislation.

Even with the so-called freeze, people will still be gouged by automobile insurance companies. That's why we, as New Democrats, argue that the only way to fix this is to move to a publicly funded, not-for-profit system, as they have in Manitoba, another province where the rates are a heck of a lot cheaper than here.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I'm pleased to rise and respond to the Waterloo-Wellington member's comments on this important piece of legislation.

When the member from Waterloo-Wellington speaks, I've long ago learned that it's really important to have two listening ears, because he so often offers such fresh insights and some really cogent suggestions as to where we should be going. I was delighted to hear some of his helpful, constructive remarks about standards yesterday, and his reference to some of the procedural aspects of this bill. I would point out to the member that this bill, although it is but a temporary freeze, will buy us the time we need to do the very consultation that he has indicated is so incredibly important with an issue that—in fact, it's compulsory. People must have auto insurance, and that's why governments of all stripes have the requirement to be somewhat interventionist in terms of this issue.

He also raised an interesting paradigm that I was pleased to see read. That was the question, and it was more than just a rhetorical question, about the injury system: Does it in fact work? That has all kinds of spin-offs around the designated assessment centres and some of the other issues that he and I are all too familiar with, answering the phone in the constituency office.

The need to streamline the process that we bring to the table with respect to common injuries: I want to say to the member opposite that we on this side found that a particularly helpful suggestion. We do indeed need to streamline it, thinking of the victims and the people of Ontario we're all here to serve.

**Mr Garfield Dunlop (Simcoe North):** It's a pleasure to rise this afternoon to make a few comments on the speech and the comments made by my colleague Mr Arnott, from Waterloo-Wellington. I can tell you that with his family's connections in the business world and his connections from his many years in politics, watching different governments pursue different styles or different proposals on automobile insurance, I too take him very seriously.

Mr Arnott and I were talking the other night about this auto insurance bill. One of the things he said to me was—he's a man of his word and he's a very honest person—"You know, I don't think that this will correct the problem here. I believe it's a worldwide problem." It's something I have to agree with him on.

I look back at the impact on the insurance world as a result of September 11, when billions and billions of dollars in lawsuits are actually outstanding right to this day. Also, there were some poor investments and that sort of thing. A lot of things, along with the courts system, drove auto insurance up. I'm not so sure that this bill will do anything at all. I think it really is a time delay type of bill, to see that they can think about it after we get the House adjourned. Maybe there will be some other opportunities or some other legislation. I doubt if it will be corrected in one piece of legislation.

I look forward to hearing about the committee that will travel around and visit different communities to seek input. I think it is important to do that, as we try to keep auto insurance rates down in this province. Whether the government can guarantee, as they did in their election platform, a 20% decrease in rates will be seen in the future with the results of the proposal and the committee's work.

**Mr Michael Prue (Beaches-East York):** I too listened with some interest to the member when he spoke on the last occasion. I have to tell you that although much of what he had to say could in fact be correct, I think far too much blame is being put by people on the events of September 11 in New York for what is happening to the insurance industry. Whereas that may have had some small effect in terms of the amounts of money that are being paid out on automobiles in Ontario, it is not the real reason that the rates are going up. The real reason the rates are going up is quite clearly that the insurance industry invests the money that drivers and other people give to them—that's one of the ways they make their money. And their investments in the stock market over the last number of years, in the declining stock market, is the number one cause of the reason that insurance rates are skyrocketing in Ontario.

I invite the members here to look no further than what has happened where those monies are not invested, the not-for-profit situation in three separate provinces of this country. I ask them to look at British Columbia, Manitoba and Saskatchewan, and they will see that in those three provinces, which do not have the same problem of investing the money in the stock market the way private companies do, the insurance rates are going up in single digits only. The reason, perhaps, they are going up in single digits is something that affects all of us, and that is the increasing costs of the claims. But in Ontario we are looking at, and have looked at, a 30% increase, and it is not because of September 11, or at least not in large part; it is mostly because of bad investments in the stock market.

We need to understand how private insurance works. It works on investing money, and the investing has not

been good. We need to look to a term of public insurance so that we do not have to look at the vagaries of the stock market in the future.

**The Acting Speaker:** The member for Waterloo-Wellington has two minutes for summary.

**Mr Ted Arnott (Waterloo-Wellington):** I was pleased to have the opportunity to give my thoughts to the House on this bill yesterday afternoon, after question period and routine proceedings. People had an opportunity to respond the very next day, and they still remembered what I said. I'm glad that some people were actually listening to my speech yesterday afternoon, because I have difficulty remembering what I said myself. And to see other members who actually seem to be able to restate some of my thoughts—I appreciate that very much.

Two New Democrats responded to my speech: the member for Timmins-James Bay and the member for Beaches-East York. Where we have a fundamental disagreement with the New Democrats is of course on the issue of whether or not public auto insurance would be in the public interest. New Democrats continue to espouse this particular policy at the present time, but of course, as we know, when they had the opportunity to govern, between 1990 and 1995, they seriously considered it, they were committed to doing it, I believe in the 1990 campaign, in the Agenda for People. I don't know what the discussions were during those years—I wasn't privy to those discussions, not being a part of the government caucus—but I sat in opposition and watched it unfold, and certainly I think the Premier of the day, Bob Rae, struggled with the decision. I know the member for Niagara Centre was prepared to go to the wall to fight for the principle, but in the end, the Premier decided that it was not in the public interest to move forward in that respect. I think he was concerned about the potential job loss that would have resulted. There would have been probably thousands of people put out of work at that time. Particularly during a recession, I think he considered that those working people's interests needed to be considered.

I believe that to change the system of auto insurance the way the New Democrats would have us do would probably cost in the billions of dollars, from what I have been told and advised by the Insurance Bureau of Canada. It's not a practical policy, and it's not one that I support. But I do appreciate their interventions in response to my speech.

I also appreciate the response from the member for Ancaster-Dundas-Flamborough-Aldershot, who spoke quite eloquently about the need for an important role for the provincial government to regulate auto insurance. I certainly agree with that.

I thank my colleague the member for Simcoe North for his kind comments. But he also questioned the effectiveness of this bill, and certainly we'll see how effective it will be over time.

**The Acting Speaker:** Further debate?



**Mr Brad Duguid (Scarborough Centre):** I'm pleased to rise today to speak to Bill 5, An Act to temporarily freeze automobile insurance rates for private passenger vehicles and to provide for the review and regulation of risk classification systems and automobile insurance rates for private passenger vehicles. That's a mouthful and when you read through it, it's almost difficult to say exactly what it is. But what it really is, is our commitment that we made during the previous campaign being met.

1550

I'm delighted to rise today. We have just got going here in this term, and it really shows how committed we are to this particular issue that this would be before us already.

This really was one of the top three or four issues that we faced at the doors over the course of the last election campaign. Our electors at the doors raised a number of important issues: education, health care, crime, the new deal with municipalities. All of that was discussed at the doors, but insurance was right up there with all the other ones.

People don't tend to recognize how important an issue is until it touches them or someone close to them. For example, health care has grown to become one of the top issues, if not the top issue, across the country. That wasn't always the case. That happened over a period of time as health care deteriorated in Ontario and in other places in Canada. There were longer waits for procedures. People would go to hospitals and recognize that there was a shortage of nurses, a shortage of doctors. The quality of health care just wasn't what it used to be and that's when it became important to people, when they experienced it themselves or their loved ones experienced it—their mothers, their fathers, their children, their uncles and aunts or, as I said, themselves.

It's the same with education. As our education system was allowed to deteriorate under the previous government, people began to recognize it. They didn't rise up all at once; they didn't recognize it all at once. As parents and grandparents started seeing their kids in classrooms of 30 and 40 people, as they started seeing their kids coming home without textbooks because there were no textbooks for them, when they started hearing about stories of kids not having soap in their washrooms because of cutbacks, when they started finding out that their kids weren't getting outdoor education, for instance, or that music programs were being cancelled or sports teams had to be eliminated because they didn't have proper equipment—when they started finding these things out, that's when they started to rise up against this government and decided that it was time for them to go.

If you look at issues like crime, crime has always been one of the major issues in Toronto and in major cities across the province. Again, that was a major issue in this last election. I think that's an issue where everybody has either been touched by it or knows somebody who has been touched by it.

The new deal with municipalities was a new one. That wasn't a big issue in the previous provincial election, but that started to become an issue certainly in communities like Toronto, where people started to feel the impact of this government's policies with regard to municipalities. They started seeing how the cutbacks in transit were impacting public transit. They started seeing how their quality of services were starting to diminish because of the treatment they were getting from this particular provincial government, and that's why they started to care about the issue of a new deal for municipalities. It wasn't so much the municipalities. Former municipal councillors like myself and the many others that are here in the Liberal government—it wasn't just because we were rising up and going after the provincial government. Frankly, it was because they were experiencing the problems themselves. They were seeing in their own communities how the problems were affecting them.

I think it's the same thing with auto insurance. As auto insurance rates rose, people didn't start to get angry about it until their rates went up or until their family members' rates went up. Frankly, at the door that was what we were hearing. As soon as people said they'd had their auto insurance renewal come in when you hit their door, you knew what they were going to talk about right away because they were being hit by pretty serious increases.

When you look at just the last little while—and that doesn't tell the whole story, but when you look at the fourth quarter of 2002, where the average increase was 9.2%, and look at the first quarter of 2003, not long ago, where the average increase was 7.3%, the second quarter of 2003, where the average increase was 8.5%, the third quarter, where it was 8.2%—that sounds like annual increases. That doesn't sound like quarterly increases. You add those up all together and you're talking about an average of 15% to 20% increases. Some people saw even worse. Some people were seeing 100% increases, some people 200% and some people, if they had even a minor fender-bender, would see their increases going up four and five times. That's something that I think people just can't afford; they simply can't afford it. You think of how this impacts our community, how this impacts the people out there, because we know it's a political issue to deal with, but what is the real impact in our communities if we don't get a handle on these increasing auto insurance rates?

I remember going to a door and seeing a young man working under his hot rod. It was one of those older vehicles, probably about a 10- or 15-year-old car. It looked like he had spent tons of hours on it, fixing it up and getting it ready for the road. He pulled his head out from under the vehicle and got up and started talking to me. He said, "I've spent hours on this car; my life savings. I've worked for years as a student part-time, saving up money to buy this car. It's an old car, so I had to put in hours after hours, days upon days, to fix it up. I finally got it fixed up, applied for automobile insurance," and the automobile insurance was something like \$8,000,

which was about \$3,000 more than he paid for the car in the first place.

There was just no way. This young gentleman could not put his car on the road no matter what he did. So he looked to us for answers. He looked to us to say what we were going to do about it. He'd given up on the previous government because he knew that they sat on their hands while all these increases were going up. He said, "What are you going to do about it?" I wish I could have told him that we're going to be able to get him auto insurance at about \$2,000 or something like that. Unfortunately, this problem has gone on too long for us to roll it back so that we can resolve those kinds of problems. This problem has been going on for many, many years and nothing's been done about it.

So what I could tell him was, "Look, we're going to freeze auto insurance the moment we take office," and that's exactly what we did. I'm proud of the fact that I can go back to that young man and say we did what we said we were going to do. We froze those rates so we could get an opportunity to get a handle on this problem and start really trying to work with the industry to restructure what goes into those rate increases.

I've got to tell you a little bit about my wife Giacinda. I've been together with her for—don't ask me how many years; I'd have to really think on that—seven or eight years now. Actually, it's been nine years now that we've been together, and I've got to admit, she's never had the greatest driving record. Thank goodness she has a company car. She drives a lot.

**Mr Mike Colle (Eglinton-Lawrence):** Are you sure you want to say that?

**Mr Duguid:** I hope she's not listening. I know she's not because she's on the road today. She drives a lot. She drives all across Ontario and she's very, very busy. She's on the road a lot.

Needless to say, yes, I have to admit, she's had a few speeding tickets. I hate to admit it, but she has, and needless to say, she has had a few accidents in her day. She hasn't had any driving my car; thank goodness for that. She's been driving her company car when that's happened, but they've been minor accidents, fender-benders. The fact that she's on the road so much is part of the reason why those accidents have probably occurred. It's just the luck of the draw: You're on the road so often that at some point in time, somebody's going to bang into you.

If she was to quit her job and go to work part-time or quit her job to stay home or get into volunteer work or whatever she decided to do, I've got to tell you, there's no way we could afford to have her drive. There's just no way. Her rates would be far too high and she would not be able to drive. This thing affects all of us; it affects all of us in one way, shape or form.

The other day, I was speaking to my nephew, who's 13 years old now—a good little hockey player, actually. He's 13 years old and we couldn't believe it, when we were looking at him, that three years from now, he's likely going to start applying for his driver's licence, and

go through that process to get his driver's licence. His parents do OK. They own a nice house in Pickering. They have a decent income. They both work. My sister's a nurse; my brother-in-law's in the computer business. They do OK. But I've got to tell you—

Mr Speaker, it looks like the clock's back to normal here now. We're having a little bit of technical difficulty with the clock.

1600

**The Acting Speaker:** No, just take your seat for a moment. We've reached that point in the debate on this issue where time for speakers is now limited to 10 minutes. Perhaps you hadn't been informed of that, so I'll give you a little bit of an opportunity just to wrap your comments up.

**Mr Duguid:** Thank you very much, Speaker. I won't have to take much time to wrap my comments up.

I'm really proud to be here today with this legislation before us so early in our mandate. This legislation is extremely important. It's extremely important that we get a handle on this problem. It's a systemic problem. We're not going to solve this problem with a rate freeze; I think we all know that. We've got to go beyond that rate freeze.

**The Acting Speaker:** Questions or comments?

**Mr Gerry Martiniuk (Cambridge):** Auto insurance has been the bane of many governments across this great country of ours. Of course, there are those who say that public auto insurance would seem to be the answer, but strangely enough, many of them, when they get into power, do a flip-flop and change their mind. I've never understood why. It really does happen. I find that strange, and yet, after their opportunity disappears, they start again on the same subject. I'd like to congratulate the member for Scarborough Centre for bringing this matter forth in debate.

A freeze that had already been established by the Eves government will continue. I'm really concerned, however, about what happens when the freeze is over. There have been substantial increases in auto insurance rates to many individuals in this province who can least afford it. I am hoping that once the freeze is over, auto insurance premiums will be controlled, for the benefit of our province. It's not just residential drivers who rely on it; as the member mentioned, there are many, including truck drivers and commercial drivers, who require insurance in order to carry out their livelihood.

So this is an important topic, and we can only hope that the government will be looking at it to temper the rate increases, as they have promised, and actually decreasing it by 10%.

**Mr Prue:** I want to commend the member for Scarborough Centre for his speech. I wish he'd had a little bit more time.

I don't know; he must be a very brave man to stand up and say two things—number one: to talk about his wife in this Legislature in such terms. Although they were not disparaging, they certainly were not something that I



would want to say about my spouse or my family having tickets for speeding and fender-benders on the highway.

In any event, what I think he has done is a little bit of a service to all of us in terms of recognizing that people who are out there on the streets driving for a living—

**Hon John Gerretsen (Minister of Municipal Affairs, minister responsible for seniors):** You probably needed the money in East York. You were probably mayor at that time.

**Mr Prue:** I probably was.

People who are out there on the streets driving for a living, because they drive more miles, are more prone to accidents and more prone to having tickets of various descriptions. We need to keep this in mind. Although we're only debating on private passenger vehicles, you need to know what is happening in other parts of the automobile industry. For instance, the amount of insurance that is required of a cab driver today in a city like Toronto is exorbitant. It is making it literally impossible for the independent cabbie to continue to work. It is making it impossible for some of the courier services to continue to work. We need to get a better handle on that.

He did admit toward the end, and I thank him for that, that this will not solve the problem. This is a long-term problem. Freezing the rates isn't going to do anything except to make sure that drivers like him, like his wife, like me, like all of us, will continue to pay a rate that is far too high. We need to do something else, and I would invite him to seriously start looking at public insurance.

**Mr Colle:** I just want to say, like a true rookie, the member from Scarborough Centre stood in this House and questioned his partner's driving ability. I'm going to give him a chance to take that back. I mean, that's a rookie mistake; I definitely think so. He's going to take it back, I'm sure.

*Interjection.*

**Mr Colle:** Strike it out of Hansard, yes.

The member from Scarborough Centre understands it, but many members in the opposition have not seen: The significant part of this bill is section 12. For the first time in the history of this province, we are giving our financial watchdog, the superintendent of financial services, Mr Davies, the power to deny insurance companies the right to file whatever they want. He can say to the insurance companies in this province—under Bill 5, for the first time we've had a government that's had the guts to do this—"If you don't file with a 10% decrease, you don't do business in Ontario." He is going to have that power for the first time. That's the significance in Bill 5. To the members over there who haven't read the bill, understand that that's the critical part.

The financial services watchdog is going to have the power to stand up for the eight million motorists in this province who've been left standing by the roadside while the government before us in essence was just blowing a lot of hot air and never did anything to protect the eight million motorists.

This government is about protecting the eight million motorists, not the insurance companies. It's about the eight million motorists, not protecting all the people who are scamming the system.

**Mr Norman W. Sterling (Lanark-Carleton):** I really find the comments of Mr Colle quite humorous in terms of the investment the previous government made in our highway system. You talk about protecting motorists. The way you protect motorists in one way is to provide more miles of lanes to drive on, because then they're not in conflict with other people in terms of road use.

The former government spent over \$1 billion a year on road construction, with very little help from our federal counterparts—less than \$25 million a year or something like that, a pittance in terms of the \$1 billion we spent each year on new road construction.

As well, because of the increase in the population, particularly in the GTA and in the Ottawa, Windsor and London areas, we were planning for even more construction with regard to highways—we had started environmental assessments, those kinds of things, which you need to do far in advance of the roads being there so that future politicians can make the decisions to build the highways because someone before them has promised.

Our government in the last eight years put \$1 billion a year toward highways, when previous governments were neglecting them—totally neglecting our roads. If you ask anybody in Ontario whether our roads have improved over the last eight years, I know what they'll say. They'll say, "Tremendously," in terms of new highways and rebuilding some of our old highways which needed to be rebuilt.

So, Mr Colle, nice try.

**The Acting Speaker:** The member from Scarborough Centre has two minutes in summary.

**Mr Duguid:** Two minutes; I'll make note of that. Thank you.

The member opposite was talking about roads. I've never seen a year so bad in terms of potholes in cities and across this province. So the condition of roads has been an issue in the last provincial election, and it was because of neglect, I think, more than anything else.

1610

As I was saying when I was concluding my remarks, this rate freeze alone is not going to resolve the problem. It will help, it will help us get some time to get a handle on this particular issue. What we need to do, and where it's really going to make the difference, is when we bring forward the initiatives with the industry to find savings within that industry. That's what we're going to need to bring the rates down. They have to be structurally brought down. Whether that's looking at things like fraud, whether it's looking at things like the costs in court cases, medical cost savings, or whether it's providing more flexibility to the consumer, all of those things combined are what we're going to have to work toward, and work very hard toward, to start bring those rates down.

We're committed to getting those rates down. We committed in the last election to getting them down, initially 10%. Let's hope we can work together and get them down even further. We know how important it is to the people of this province, for them to be able to utilize their vehicles for their social lives, for their working lives.

In my concluding comments: It is important as well that we are balanced as we move forward with this initiative. We don't want to see insurance companies running for cover outside of this province. We don't want to see insurance companies stop writing insurance.

I'll give you one personal example that happened in my own riding of Scarborough Centre, where we're trying to build our civic centre/city centre area. When the NDP got elected in 1990, an office building was scheduled to be built by an insurance company. That office building got cancelled the day the NDP got into office in 1990.

**The Acting Speaker:** Just by way of explanation for the members, for the whips, and maybe for the public: Section 24(c) of the standing orders reads, "Notwithstanding clause (a) no member shall speak for more than 10 minutes after seven hours of debate on second or third reading of a government bill." The Chair was interested in your comments, but that's the reason for limiting them to 10 minutes.

Further debate.

**Mr Norm Miller (Parry Sound-Muskoka):** Thank you for that explanation as to why I have 10 minutes to speak on this bill. It's my pleasure to join in the debate today on Bill 5, which is an act to temporarily freeze automobile insurance rates for private passenger vehicles and to provide for the review and regulation of the risk classification systems and automobile insurance rates for private passenger vehicles.

I think it's worthy of note that it is a temporary freeze. Really, this is a weakened version of changes that had already been put in place by the previous government. The past insurance commissioner, or person in charge of it in the past government, was Rob Sampson. He had gone through extensive consultations, met with stakeholders, and I believe it was on July 2 he had made substantial changes to automobile insurance. They included changes to streamline access to treatment for common injuries such as whiplash by introducing a pre-approved framework for treatment; improved benefits for children suffering from serious injuries; the restricted use of medical examinations by insurers, in order to end duplication. We were also planning to prohibit unfair business practices by health care providers and paralegals—to introduce a code of conduct for paralegals.

We followed up that white paper in July with additional steps, including amending the deductibles that apply toward awards for pain and suffering; directing the superintendent of financial services to review the designated assessment system—the existing proposed fee schedule used by various health care providers; treating auto accident victims, and the rules used by insurers, to

ensure that they are not unfairly denying coverage to consumers. There were extensive changes made. The first batch on July 2; the next group in late August.

The regulations for those changes were in process; they just needed to be implemented. It could easily have been done by the current government. That would have saved \$1.4 billion in costs in the auto insurance industry. The current Bill 5 will result in savings of about \$650 million. It's kind of a halfway measure. Those regulations were in place and just needed to be implemented.

Let's remember that this was a big election promise for the current government. I think what the average person understood was that there was going to be an immediate freeze, and then there was going to be a 20% reduction in rates. This bill, when it eventually comes into force—and it's in effect a delay of what was already proposed—is a temporary freeze, and then it may result in a 10% reduction in rates. It's not what the general public expected, and I can tell you that that's based on calls we're getting in our constituency office from people who believed the current government when they said they were going to immediately freeze the rates.

Meanwhile, of course, they continue to break other promises, like increasing taxes on medium-sized businesses by some 27% as of January 1, 2004—I don't think most people are aware of that. Had our government been in place on January 1, 2004, medium-sized businesses would be paying 27% less corporation taxes, and that's very significant. We're all going to be paying a 28% increase in energy costs.

I think it's worth quoting from the Timmins Daily Press what the average person thinks. Here are a couple of quotes from the Timmins Daily Press: "I think the rates should be lowered and not frozen. Premier ... McGuinty has already broken his promise by freezing but not dropping rates."

Another quote: "I think freezing ... is a good start. But I think the rates should be lowered. During the election, the promise was they would be lowered."

I think these comments accurately reflect what most people in Ontario took the Liberal promise to mean. It's another promise that is falling by the wayside. And there is a large group of promises. The Minister of Finance said he was going to balance the budget, and now he's not. The Premier signed a pledge to balance the budget and not raise taxes, and we're seeing some big tax increases. Of course the Minister of Energy has recently increased the price of electricity, when in the campaign they said they were going to maintain the cap. It goes on and on.

In the Liberal policy paper, *Lower Rates for a Change*, the Liberal promise is very clear: "A commitment of 20% reduction in auto insurance rates for Ontario motorists." In fact, industry specialists like George Cooke, chairman of the Insurance Bureau of Canada, are saying consumers will see an increase of 5% or more in rates. I can tell you that in my riding the phone has been ringing off the hook from concerned constituents.



I had a constituent concerned about huge increases in auto insurance liability rates. This particular constituent has not had an accident in 50 years of driving, and her cost for liability insurance only has risen by \$1,000.

I have another constituent with a unique concern. For the past three years this constituent has been a volunteer driver for the Canadian Cancer Society and East Parry Sound Community Support Services, also known as Eastholme. Each year, Eastholme sends out a form to be filled in by the driver and completed by the driver's insurance company. This year, the volunteer's insurance company sent the form back incomplete, saying they no longer offer coverage of vehicles to be used to provide occasional volunteer driving. The insurance company previously provided this coverage but has now discontinued the same, and this in spite of a directive from the Financial Services Commission of Ontario which is the regulator for insurance.

There are lots of problems out there. I could talk about more of them, but I know I'm going to run out of my 10 minutes if I go through all the various examples we've been hearing. I can just say that insurance is a huge issue across this province.

I'd like to briefly speak about general insurance, because it affects not only auto insurance. This week, I met with the Ontario Real Estate Association, and they're telling me that the provision of insurance is affecting their ability to sell homes, because you have to have insurance in order to close a deal, in order to get a mortgage. They're finding that people just can't buy insurance, so the deal falls apart. People with older homes, century homes, are having difficulty getting insurance. If they happen to have knob and tube wiring in their home, they aren't able to get insurance. I quote from the *Globe and Mail* of November 29:

"Old Houses New Nightmare.

"Increasingly unwilling to take on what they see as the risks of older Toronto properties, insurance companies are cancelling policies or demanding costly upgrades.

"After 24 years with the same insurance company, Elizabeth Kimball wasn't expecting the news she got this summer—Royal SunAlliance was cancelling the policy on her 100-year-old Toronto house. Thinking it had to be a mistake, Ms Kimball called her agent. There was no mistake."

1620

This is mainly based on the type of wiring, but it's obvious insurance companies, if there's any risk at all, are not willing to take on the policy.

In northern and rural Ontario, if you have a wood stove—with energy prices going up, as proposed by the Liberal government, more and more people in the north will want to rely on wood heat. Often an insurance company won't insure you if you have a wood stove, or will make it very expensive. Also, if you have an oil tank, which is also very common in the north and rural areas, it becomes very difficult to get insurance.

I was approached last week by an important business in the Muskoka area, a large business that, this time, was

unable to buy liability insurance. So their options are self-insurance or closing up shop. This is a very important issue.

Snowmobile insurance really affects the riding of Parry Sound-Muskoka, both for individual snowmobiles and those able to buy insurance, or the OFSC, getting the insurance for the trail system around the province. It's very important for tourism. They're facing huge, huge challenges.

Insurance is something that permeates the economy and affects all of us. It affects business. It's a really important issue that the government has to get a handle on, and I encourage them to really try to deal with this. It is critical to our economy in Ontario. It's not just an Ontario problem. I think that is worth knowing, so when you talk about getting tough with insurance companies, a lot of them will just close up shop and leave Ontario. The government has to keep that in mind as well.

This Bill 5 is just a weaker version of the changes that just had to be enacted. It's going to delay the 15% reduction that would have happened under the previous government, and doesn't deal with this issue.

**The Acting Speaker:** Questions and comments?

**Mr Bisson:** Another thing that this bill does—and I know that because the member only had 10 minutes he didn't get a chance to speak on this—I bet you that we've all been contacted by people in the trucking industry, either independent tow truck drivers but also specifically independent trucking operators and small trucking companies. Those people are being hit absolutely hard.

I want to tell you the story of one company, about how bad it can get. In Val Rita, Ontario, there's a woman by the name of Muriel Parent, who owns Parent trucking. They have been in business for 30 years; hard-working people, a pillar of the community. They put on probably around two million kilometres a year on highways throughout North America with their trucks. It stands to reason that you're going to get some fender-benders in two million kilometres.

She contacted me, not this summer but last summer, when her insurance went from \$40,000 to, I believe, just over \$200,000 in one year. We did a whole bunch of work for her and tried to deal with the then minister responsible for insurance—they didn't want to do anything. We managed to negotiate it down a little bit. I think she finally settled somewhere in the hundreds of thousands of dollars. Last year, when she got her bill in August and called me in a panic—up over \$400,000 they wanted for insurance premiums, when she was only paying \$40,000 two years before.

You tell me how a small business person can afford an overhead cost of \$40,000 to over \$400,000. It doesn't stand to reason. As a result of a whole bunch of interventions, we managed to get her a bit of a break, but she's right back to where she started yet again, with high premiums on insurance.

What this bill doesn't do and what I want to put forward as an amendment is that we do something in order to assist the independent trucking operators and

trucking companies so that they don't get gouged by the insurance companies the way it's happening now. I'm going to call it the Muriel Parent amendment to this bill.

**Mr Shafiq Qaadri (Etobicoke North):** First of all, I would like to take extreme exception to the Tory member of provincial Parliament for Parry-Sound Muskoka. They spent a considerable amount of time in power idly watching the insurance companies of this province gouging motorists. There was no freeze or reduction brought in by the previous regime, and they basically allowed increase after increase to take place.

I think this also reflects the philosophical difference between our government and the previous administration. We believe in putting people first and not the corporate interest; not the elite, not the heavily financed friends of the Tory party but the common people of Ontario, which of course include the motorists.

I can also tell you that as the proud representative of the riding of Etobicoke North, travelling the length and breadth of it, especially during this most recent campaign, there were many individuals who actually spoke to the previous administrations idly standing by, watching increase after increase in their insurance rates. I do agree with foregoing members that certainly it's an important issue. It's an issue that has really plagued a lot of individuals, and people are in fact hurting. That is why I am proud to be part of a government and part of an administration that, within 10 minutes of assuming power, moved on this particular issue that is of such great importance, within 10 minutes brought the mechanics and the power to bear on the auto insurance's freezing of rates and the increase. That's why I'm proud to be part of this administration. They're quite right: This is but the first step, the first wave, in fulfilling our commitments to the eventual reductions.

**Mr Sterling:** I'd like to congratulate Norm Miller from Parry Sound-Muskoka. Norm came here not too long ago in a by-election and has proven himself to be an exemplary MPP in representing the interests of his riding. He's in touch, as you can tell from his speech, in terms of ordinary people coming to talk to him about problems they're having with the insurance industry.

We heard the last speaker, from Etobicoke North, talk about their government with the people rather than the corporations. Well, their party is a party of promises. Our party is a party of reality. That's the difference between the two parties. We don't believe that you can have healthy insurance rates without a reasonable system to go around it. Governments have tried. In the early 1980s the Peterson government tried to bring in no-fault insurance, which was an abysmal failure. The NDP didn't bring in public insurance because they saw that it would be an abysmal failure. We brought in a bill in 1996 which lowered car insurance premiums by 20% to 25% at that time, and now we need another revamping of the system. That's because there's fraud in the system which we have to address.

This bill is nothing but window dressing. This government could take the same actions that we were taking,

prior to the summer, with regard to the insurance business through regulation. They have every power now to deal with the car insurance industry without this bill. We're just wasting our time in this Legislature dealing with this bill because it doesn't give any real, new powers to the government of Ontario.

**Mr Prue:** I listened with some great interest to the member from Parry Sound-Muskoka, as I always do. He tries to say that the former government was doing something that was quite different from what the present government is doing. I want to tell you that they're both doing almost the same thing.

I listened earlier to the member from Scarborough Centre, who quite succinctly said at the end that this bill they are proposing is not going to do very much, because it's simply going to freeze rates for 90 days in order to allow them to make changes with the insurance industry that, in turn, may help the insurance industry to lower rates. The past government did the same thing, without freezing. They went to the insurance industry and said, "We're going to give you a whole bunch of options which will allow you to reduce your costs and, hopefully, some day you will be able to reduce rates as a result."

What did they do? I'm going to spend my whole 10 minutes in the speech showing what these were because this is what the Liberals are going to do in the future too, I'm absolutely convinced. They allowed the insurance companies to cut back on what they paid to consumers who find themselves, through no fault of their own, in a car accident, who are involved in a fender-bender, who have their car stolen, who have things happen to their car. If you look down what happened on October 1, the day before the election, you can see all of those deals that the insurance company made that are going to save them money, without ever once having given the consumer a break. Things like: the deductibles for pain and suffering are going to be much higher than before; when your car is stolen, you're now going to have to pay the deductible when you didn't have to pay for it before; reducing the amount of money that someone gets for compensation when they lose—

**The Acting Speaker:** Thank you. The member's time has expired. The member for Parry Sound-Muskoka has two minutes in summary.

1630

**Mr Miller:** I appreciate the comments of the members who were listening intently, I'm sure, this afternoon.

First of all, I appreciate the member for Timmins-James Bay's comments that this bill doesn't address trucking. I certainly think he pointed out a major loophole.

Also there's the other trucking-related loophole in this bill, which has been talked about as the Mack truck loophole: the fact that an insurer may apply to the superintendent of financial services for a rate increase "if the insurer believes it is just and reasonable in the circumstances having regard to the insurer's financial circumstances." That means that the insurer can say, "Well, I really do need to increase the insurance, even



though this is a temporary freeze,” and it will happen anyway. That’s the Mack truck loophole in this bill.

I’d also like to comment on the member for Etobicoke North talking about the past government not doing anything. I think the difference is that we’re living in reality. Ontario may seem like a large economy, but in the big picture it isn’t. We do need the insurance companies to want to do business here in this province. I’ve seen lots of examples where insurance companies just pick up and leave the province. We need the companies to want to do business here as well.

**Interjection:** Reality.

**Mr Miller:** Reality: We don’t live in a vacuum. We made changes that are very important to maintain insurance rates, like the safest roads in North America, which were achieved under the past government.

The member for Beaches-East York talked about public auto insurance. I know they very much believed in that, although when they were the government, they didn’t bring it into effect.

Bill 5 is a weakened version of regulations that could have already brought reduced insurance premiums—15% reductions—had they been put into effect.

**The Acting Speaker:** Further debate.

**Mr Bisson:** I have but 10 minutes to put my thoughts forward on this particular bill, and I’m going to try to go at this analytically as best as I can.

First of all, there is not a government yet that’s been able to rein in the insurance beast. You had first of all David Peterson, who said, “I’m moving to a no-fault system.” That was going to fix the high premiums back in the 1980s. It was the big promise. We said at the time it wouldn’t work, and it didn’t work. Insurance rates went up, even though the then government gave a gift to the insurance companies to lessen their exposure when it came to lawsuits.

The Bob Rae government was elected. It said, “Oh, we’re going to basically make changes too, because we will try to regulate the insurance industry rather than try to move to a no-fault system.” I want to say up front, he was wrong; we should have made a no-fault system. Point final. But that was not the case. What he tried to do was rein in the insurance companies by way of regulation. Bob Rae failed. Insurance rates went up.

Mike Harris gets elected, brings in an automobile insurance reform bill. In that particular bill he basically said to the insurance companies, “What do you need to lower your costs?” The insurance companies said, “You give us these things, which are liabilities that we now have that we have to pay under current legislation. Lessen the standard.” So Mike Harris tried, made a big promise that we were going to get lower insurance rates. He failed. Insurance rates still went up.

Ernie Eves gets elected as leader, tries the same approach, gives another gift to the insurance companies, and says, “We’re going to do it by way of regulation.” He failed. Insurance rates went up again.

Although I think there is goodwill on the part of this government to honestly try to do something good, I

predict that regulating the industry is not going to work. We’ve tried this. We’ve been down this road before. It doesn’t work. So that’s the first thing that I want to say.

The question is, “What do you do?” In my view, there are really only two approaches. There is a very extreme right-wing view that I do not support, but I’ll put it on the table. You say, “All right, why should everybody be insured?” That’s a logical argument. I don’t agree with it, I want to say up front, but some people have told me—insurance companies and lawyers: “Who gets insurance for anything else other than people who have vehicles?” We’re not insured, all of us, as we walk down the street to do whatever. We should say, “Let’s go back to the old days where you had a system that said there’s a minimum insurance that you have to have when it comes to public liability. It’s called the old PLPD plan.” What did we call it when we were kids? You were 16 years old, you wanted to drive—

**Interjection:** Unsatisfied judgment.

**Mr Bisson:** Unsatisfied judgment fund. I couldn’t remember the term. But if you had an unsatisfied judgment, you paid whatever and you got a minimal amount of coverage when it came to protecting you from being sued. It was very inadequate but it was an approach. That said to consumers, “If you want to have insurance above and beyond the standard that’s given in the unsatisfied judgment, go out and buy it from the insurance company.” So a person who would normally be hit with a large insurance increase said, “I’m not buying insurance,” and went under unsatisfied judgment and took his or her chances. That’s a right-wing view. I don’t agree with that because the problem with that is, you’re going to have all kinds of automobiles on the road that are uninsured, and people who are walking, people who are on bicycles, people who are in other cars that may not be insured would be in a situation of trying to sue for damages and having nobody to sue because the person who caused the accident has no insurance, has no money, has no ability to pay the lawsuit. So I think that’s a pretty draconian approach, but it is one way to lower rates.

You say, “Let’s give the consumer the right to be able to choose if they want to insure themselves or not,” and at the very least give them a minimum standard when it comes to lawsuits of \$100,000 or \$200,000 maximum. I don’t agree with it, but that’s one way.

The other way, in my view, is you do what they’ve done in Manitoba, Saskatchewan and British Columbia, and that is to move to a public system. The public system does a number of things. First of all, you’re not in a situation to be open, as my good friend from Beaches-East York said, to the vagaries of the market. Let me explain. There’s not an automobile insurance company that makes a heck of a lot of money from selling insurance. They take that pool of capital dollars they get by way of premiums and they invest them in the market, and if the market is good, they make money. That’s what insurance companies make their money on. They don’t make it on the actual difference between the amount of money you pay for your claim and the amount of money

they pay out in claims. If they did that, quite frankly, they'd have a hard time trying to make a buck in some cases. They make their money by putting all that money on account in the stock market and hoping to heck, "Roll the dice; boom; maybe we make some money."

Over the past number of years the stock market has been good, so insurance companies made a lot of money. Why we got the huge increases as of late is in large part because insurance companies have lost tons of money in the market and they've been trying to recoup their losses; secondly, because of the legislation and regulation that deals with insurance companies, they have to have cash on hand by way of investment or reserves up to a certain percentage. I forget what the percentage is, but it's a requirement under law. That means that if they don't have money in the reserves, they've got to get it real quick, and because they've lost their reserves in the stock market, they've had to pass the increase on to the consumer. That's why people have had automobile insurance rates that have gone from \$400 a year to \$4,000 a year. The automobile insurance companies are saying, "Hey, anybody who has any kind of risk associated with them, we don't want them. Put them off into the Facility market."

Interesting little point: There used to be a time, when Facility markets were set up, that insurance companies made no money on those Facility markets. Do you know, they're making profits on that now? It has now become more profitable for insurance companies to make profits under the Facility market than they are making inside the actual insurance company, but that's a side point.

So I say, the advantage of the public system is that in a public system the money that is basically given by way of premium and the money that is then paid out by way of benefit to accident victims is not invested in the market; it's not put in the stock market. That money is used to invest back into their communities. So the province gets back directly, by way of capital dollars available to municipalities by way of bonds, insurance dollars to do capital projects within their own communities. So that's a net benefit to Ontario. But what ends up happening is that because it's run on a not-for-profit basis, the automobile insurance company which is a not-for-profit, for example, in Manitoba, says, "We have to bring in X amount of dollars because we have X amount of expenses," and there's not a profit margin built into it.

Let me give you an example. A young driver in the last election—I think his name was Chris; I may have the name wrong—came to me and said, "I've got a 1988 Chevette. I used to pay"—I think he told me \$1,100 a year for his automobile insurance. What ended up happening is that somebody backed into his car, and he put a claim in. He wasn't even driving. The car was parked on the road, somebody backed into it, and he made a claim on that 1988 Chevette. I said to him, "Why the hell would you claim on a 1988 Chevette in the first place? It ain't worth a thousand bucks." But the kid—what the heck. He didn't know any better. After five years of

driving, with absolutely no accidents, he goes from \$1,100 to \$5,600 in our system.

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I said to him, "Let's go shopping on the Internet. We'll go take a look at what you'd pay in Manitoba." You go to the Manitoba Web site—and I wish I had brought that Web site with me, because you can actually punch in how old you are, how many years you've been driving, what kind of vehicle you have, and it tells you your rate. This particular guy, with his driving record, 23 years old, with a 1988 Chevette, would have paid \$700 in Manitoba.

Now, you tell me what they're doing right over there and we're doing wrong over here. Clearly, if you can sell insurance in Manitoba for \$700, you can certainly sell it in Ontario for a much more competitive rate than what we're doing now, because the Ontario market is a heck of a lot larger. For people to argue that because Ontario is a larger jurisdiction with more drivers, it's cheaper in Manitoba to put up insurance, I say it's the other way around. The larger the market, the cheaper the rate because the risk is expanded among a greater population of drivers. So I say the public system is a much more efficient way of selling insurance.

The other point I want to make is that when it comes to those who happen to be accident victims and get struck by cars as they're walking around etc, in a public system there's a guarantee that every automobile on the road is insured by virtue of the way it's run. In Ontario, it's estimated now, depending on who you listen to, that anywhere from 10% to 20% of vehicles on the road today are uninsured. That means that if my good friend across the aisle is walking down the street tonight, there's a 20% chance that somebody driving a car who hits you is not insured. That is not acceptable.

I'm saying there are only two solutions. There's the right-wing view which makes it basically a voluntary product. I think that's nuts. You can't go there. The other option is to go by way of a public system. Clearly it works in Manitoba, Saskatchewan, BC, and a part system in Quebec. It has been introduced by NDP governments. Successive Conservative, Liberal, Socred and somewhat Liberal-Conservative governments have been elected in BC after New Democrats, and not one government has undone public auto, because in all of those jurisdictions it works. They know that if they were to remove that system, they would have to face the wrath of the public. You might be thinking you're taking a good step with this bill, and I think you're doing it in good faith, but at the end of the day, you will fail as other governments have. The solution is public auto. Let's do it now.

**The Acting Speaker:** Questions and comments.

**Mr Mario G. Racco (Thornhill):** I want to say that I agree with the member from Timmins-James Bay. But the fact of the matter is that the Liberal Party ran on a platform, and Bill 5 is addressing the platform that we ran on. The people of Ontario did choose to support the Liberal Party, and I believe we owe it to them to do what we said we were going to do. So I think the members of



both opposition parties should support what was told to the people and be consistent.

I was pleased, prior to the election, to have a forum that dealt with insurance issues in my riding of Thornhill. I heard a number of stories that were presented to us. In fact, one of the seniors, who was paying about \$2,000 a year prior to 2003, received an invoice for \$11,500. The reason was that the insurance company that he had bought insurance from the prior year went belly up. The new company that took over basically was increasing the policy by four times more than what he was paying the prior year. I think that something must be done to address that issue, and of course Bill 5 is doing that.

We said we were going to freeze the insurance rate a short time after taking office, and we did so. We also said that we were going to lower rates by about 10% within 90 days of forming the government. That is exactly what we are trying to do with Bill 5. I believe that we all should support Bill 5.

The insurance industry is a \$7-billion industry. We said we were going to reduce the cost about \$635 million, give or take. This is about 10% of the industry total, and I think that 10% must be given back to the people of Ontario. Therefore, I believe that we should be pleased with Bill 5 and we should support Bill 5.

**Mr Sterling:** One of the problems with Bill 5 is it doesn't contain anything, so it's hard to be for or against a bill that's hollow. The best part of this bill—and I want to say to new members of the Legislature, there are two kinds of legislation: those that are phony and those that really have an impact in law. This is a phony one. You can tell the phony ones by the titles, because the titles express the political promise. But there's nothing in this bill at all. I mean, this is a phony bill.

At any rate, I just want to comment on the member from Timmins-James Bay. When he says that if they can do it in Manitoba, they can do it here in Ontario, it's totally false, totally illogical. You have accidents because you have a number of cars for every lane kilometre of road. Quite frankly, when you look at Manitoba, they have a population of 800,000, and they have miles and miles of road because they are fairly remotely connected.

In the province of Ontario, we have many, many people living in close proximity to each other and there are many road-car kilometres in each kilometre of road. That's no more exemplified than by the fact that insurance rates at home in Carp, Ontario, near Ottawa or part of Ottawa, are half of what they are here in Toronto. That's because there are more cars on the road here in Toronto than there are in Ottawa. So we've got to look at this in a very, very practical way: Public insurance is not the way to go.

**Mr Prue:** As always, it is a pleasure to listen to my colleague from Timmins-James Bay. He speaks with animation; he speaks with passion; he speaks with experience; he speaks through the voice of his constituents.

When you hear the horror story of the young man who parked his car on the street—he wasn't even driving—and someone ploughs into his car, he makes a claim, he

tells the insurance company, and he sees the cost of his insurance go up from some \$1,100 to \$5,600 a year, you have to know there is something wrong with the system.

Person after person has stood up in this Legislature from all three parties and they will tell you horror stories that their constituents have told them about how the private system is not working for the consumer. The reality is you can try to fix this with the rate freeze; that's not going to work.

I listened to the maiden comments of the member from Thornhill. He admitted as much in the first sentence but said we should all support this bill because the Liberals were elected. I have to tell him that I beg to differ. We should only support that which is right, and this bill, quite frankly, is not right. It is freezing rates that are far too high for the consumers, rates that have gone up 15%, 20%, 25%, 50%, 100% to some consumers in very short order.

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At the same time that they have gone up, the level of service back to consumers and those who need the insurance company following accidents has gone drastically down. This is all that is going to happen in your bill: You're going to freeze it today; you're going to negotiate; you are going to further cut the benefits to those who require them following accidents. This is not the way to go; public insurance is.

**Mr Bob Delaney (Mississauga West):** The member from Lanark-Carleton seems to have accidentally let slip yet another of the former government's dark secrets in his response of this day to an earlier member's statement on Bill 5, the Automobile Insurance Rate Stabilization Act.

The member mentioned the relationship between gridlock and auto insurance rates. Are the people of Ontario now to draw the conclusion that had the former government been re-elected, one of their solutions to the gridlock that now chokes GTA roads and highways was to let insurance rates shoot right through the roof and into the grey and smoggy skies above, thus forcing more cars off the road?

We in the new government can only draw this inference from the member opposite, whose solution to every problem facing Ontario was, and remains, more tax cuts paid for by more asset sales and more service cuts, more downloading and more program cancellation. This new government of Ontario takes a different approach. Ontarians think it's a more refreshing approach.

Let's start with Bill 5 and give Ontarians a chance to catch their breath and hold on to their wallets. Let's let Ontario insurance carriers find time to put on their thinking caps and work on the cost side of their business equation instead of continuing to step on the revenue side.

Government for Ontario's people means looking after Ontario's people. Bill 5 starts this process. Had this government been here earlier, this process would have been long underway. We're here now. We're here to do

the job. We've rolled up our sleeves and we'll fix the problem.

**The Acting Speaker:** The member for Timmins-James Bay has two minutes.

**Mr Bisson:** I've got to first of all say to the member from Mississauga West, you've got to remember the former Deputy Speaker, Mr Bert Johnson, who had a ruling in this House. If you remember, a member had risen in this chamber and used the word "obtuse." The Deputy Speaker, Mr Johnson, stood up and said, "The members of this House will not use words that the Speaker doesn't understand." I say to you that you've got to watch it. If Bert came back, he wouldn't know what you're talking about.

I want to thank the member from Beaches-East York. I just have to concur: This particular bill doesn't do anything to freeze rates. It purports to freeze rates, but section 6 of the bill allows an insurance company to go back to the insurance commission in order to get an increase if they happen to be under financial duress or are having financial problems. You might want to say that it freezes rates. I've got to believe that you're doing this for honourable reasons, but it ain't going to do it.

The member from Lanark-Carleton talks about Manitoba versus Ontario. Because there are fewer people in Manitoba, with bigger roads and less population, I guess his argument is that there are fewer accidents compared to Ontario, with fewer roads and more population. I don't know about you guys, but I've been driving around Ontario for a long time and there's a whole bunch of roads in Ontario. I think if you were to use that argument, it's a bit of a funny one. There's a larger pool of drivers in Ontario. That's why insurance rates would be even cheaper if you went to a public system, versus Manitoba, because they have to spread their risk over a pool of 800,000 people, while the number of people we have in Ontario would be a larger pool.

To the member from Thornhill I just say I'm certainly not going to support this on the basis that it was a Liberal election platform promise. I ran as a New Democrat. I didn't support it then, don't support it now and won't vote for it, because it does nothing for independent truckers and trucking companies. I believe that at the end of the day it will do nothing to bring rates down.

**The Acting Speaker:** Further debate?

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** As the new member for Etobicoke-Lakeshore, I'm very pleased to rise today to speak in support of Bill 5, the Automobile Insurance Rate Stabilization Act. But before I do, I want to say that it is a great privilege for me to be part of the Legislative Assembly, to represent the people of Etobicoke-Lakeshore, as well as to serve as parliamentary assistant to the Premier.

I have said it before, but it bears saying again: When you decide to jump into the political ring, you don't do it alone. You drag your friends, your family, your acquaintances and your colleagues and just about everybody you know with you for the ride. At this juncture I would like

to take a moment to thank all of those people for their support over the years. I am so very fortunate to have the love and support of my husband, Paul, whose driving record I'm not going to discuss tonight, unlike my colleague, and my family—my parents, my sisters and their spouses and children—who have been with me each and every day on the campaign trail and who have supported me without reservation over the years.

I also need to express my thanks to a huge group of old and new friends who worked tirelessly throughout the campaign. It means a great deal, and I would not be standing here without you. I would like to thank the people of Etobicoke-Lakeshore for their overwhelming support during the last provincial election. I feel privileged to have an opportunity to represent the great riding, to provide a strong voice for the community at Queen's Park. As a resident of Etobicoke-Lakeshore, I share your concerns about health care, about education, about our economic potential. I have lived and worked in the riding for many years as a volunteer and as an advocate for a vibrant and healthy community. I know many of you through our hard work to clean up the environment and to build strong community organizations. I am very proud of our efforts to date, and those efforts make Etobicoke-Lakeshore one of the best places to live in North America, to raise a family and build a business.

I want to assure the people of my community of Etobicoke-Lakeshore, those who have helped me get here, that I will do my very best to meet their expectations here at Queen's Park. The people of Etobicoke-Lakeshore are very hard working, and they expect the same of their MPP. I will endeavour over the next four years to fulfill the confidence they have put in me. I am used to hard work, and I will use all my energy toward meeting your expectations in Etobicoke-Lakeshore.

This government is committed to a positive and practical plan to deliver real change, in Etobicoke-Lakeshore and across this province. Part of that change is implementing a plan that will lower auto insurance rates, and we are doing just that.

I want to talk now about the reason that stopping approving auto insurance rates to protect Ontario consumers is an important commitment, and it will be met by our government over the next number of years.

One of our key commitments to Ontario voters was to halt spiralling auto insurance rates. I committed to the voters of Etobicoke-Lakeshore to work to bring those rates down and to stop spiralling increases. We acted very quickly. On October 23, 2003, the very day the government was formed, Premier McGuinty directed the Minister of Finance to freeze auto insurance rates immediately. On Wednesday, November 26, 2003, the finance minister, Greg Sorbara, introduced the Automobile Insurance Rate Stabilization Act, 2003, which freezes insurers' private passenger auto rates at levels approved of on or before October 23, 2003.

I want to talk about the skyrocketing rates and why we're in the position we're in today. It is quite startling that over the last number of years, auto insurance rates



have skyrocketed. They have skyrocketed 42.7% in the last three years. The bill we're discussing today is the first of three steps: first, to freeze the rates; then to move to a reduction of 10%; and a third plank, moving to a further reduction of 10% to meet our commitment to reduce rates.

According to the Insurance Bureau of Canada, the sources of rising auto insurance costs, and therefore higher premiums, have a number of bases, including increased litigiousness. The claims that are costing the most money across Canada are ones for minor, non-permanent injuries. Policyholders are submitting minor soft-tissue injury claims in an increasingly litigious environment that results in higher award costs. As a lawyer, I certainly know about litigious environments.

We've also seen the rising number and costs of claims. Automobile crashes have decreased in recent years, but the number and the costs of those claims and those crashes have increased. So there are more expensive claims and more of them.

We've also seen rising health care costs. A significant component of auto insurance claims costs is the cost of rehabilitation for insured automobile accident victims. The industry incurs these costs in a number of ways. First, there are the costs involved in providing primary care for auto accident victims, primarily medical costs and hospital visits. Those costs are paid for by our provincial government.

The second way the insurers encounter health care costs is through the direct payment of expenses for rehabilitation services that are provided outside of the government-funded primary care system.

We've also unfortunately seen over the last number of years the cost of insurance fraud increase. In 2000, a study conducted for the Canadian Coalition Against Insurance Fraud found that more than one quarter of all personal injury claims contained elements of fraud. That costs the industry more than \$500 million per year.

We've also seen higher taxes. The home, car and business insurance industry is the most heavily taxed industry in Canada's financial sector. The industry's tax bill is more than three times that of Canada's other financial services.

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So we inherit a system that has problems. It has increasing health care costs, increasing tort costs, increasing vehicle costs—be it for vehicle repairs—and a broken medical assessment system that forces patients to endure costly and lengthy assessments during disputes, instead of getting the care they need. Designated assessment centres do not act as the final arbiter in the case of disputes; they simply drive up costs. We've also seen decreasing returns on the stock market.

Our government, through the work of the parliamentary assistant Mike Colle, has been examining and speaking to stakeholders across the province. He's meeting and has met with those stakeholders that represent a variety of groups—the auto insurance sector, the health care sector, legal professionals, brokers, consumers and

insurance companies—to work toward reducing costs in the industry.

We are bringing forward a positive plan that will move us toward a practical and substantive solution. The solutions include changing the approach to auto insurance, to see it as a shared resource. We'll no longer have two prices in this province to repair a windshield. We're going to ensure that drivers and insurance companies work together in a co-operative approach instead of an adversarial relationship. We are also going to make sure that the medical rehabilitation system returns injured people to health quickly and ensure that catastrophically injured people get the treatment they need.

I am very proud to be part of a government that is moving in a substantive way toward meeting those commitments. This is only the beginning—to move toward one of our electoral commitments, to reduce auto insurance rates and make sure those saving are passed on to consumers. Those consumers, some eight million of them, are the drivers across our province. This is the first time that a government is taking strong action to ensure that we move progressively forward to halt the spiralling insurance rates.

This was an important issue on the campaign trail, as we spent time talking to people in our community. Our government didn't wait until after the election to move on this commitment. We had a group of people that travelled the province and had public meetings, led by George Smitherman, before we were even the government. We are not sitting on our hands; we are rolling up our sleeves and moving forward to make sure of this first step to freeze the auto insurance rates. We visited 17 communities in the months of July and August to hear your concerns about affordability and availability of auto insurance rates. During the campaign, I had an opportunity to speak to many of you, who asked that we move forward and find a way to solve these problems.

There are no quick fixes and there are no easy answers. But if we move forward with a new approach to tackling those problems, tackling the increasing health care costs, tackling the tort costs, tackling increasing costs for vehicle repair and making sure we stabilize those, we will be able to respond promptly, as we are doing right now, to a common theme: Insurance rates are too high and drivers desperately need rate relief. That's what Bill 5 is providing as the first in three steps. I look forward to working toward the next two steps along this platform. I'm sure the community of Etobicoke-Lakeshore will be happy with the result.

**The Acting Speaker:** Questions and comments?

**Mr Sterling:** I'd like to thank the member for her views on this. I think it's being somewhat naive to think that this bill is going to really accomplish anything with regard to fixing the problem. Our party, our government, had put forward several remedies to deal with this \$9-billion industry, including attacking fraud and looking at the benefit levels and those kind of things.

This whole notion that Bill 5 actually does something is totally bogus. The best part, as I said before, about Bill

5, is the title. And even the title is suspect. Let me read the title: An Act to temporarily freeze automobile insurance rates for private passenger vehicles and to provide for the review and regulation of risk classification systems and automobile insurance rates for private passenger vehicles. It doesn't do anything. The auto insurance industry was quite willing to freeze rates while they allowed the government to come in and make some plans about really revamping the system in order for us and our constituents—the insured—to get a break. It truly is a waste of our legislative time to be in this Legislature debating a bill that does nothing.

**Mr Bisson:** Let me put a personal face to this—not mine but the ones of my constituents—because at the end of the day that's what we're all here about. We're all here—Liberals, New Democrats and Conservatives—to do the same thing, and that is to represent our constituents. I believe everybody who comes to this House comes with that belief.

I just want to take but a couple of examples of how this issue is affecting people. I'm just going to take a couple. I've got Cheryl Hanson—a really interesting story. She was in Manitoba. She used to pay about \$700 a year to insure her car. She got a job transfer into Ontario, moved up to Timmins and started working there. When she went to buy her insurance from the broker, the broker said, "We don't have a driving record on you. Can you provide us with a driving record so we can quote you a rate?" She goes back to Manitoba, to the people who give out the licences, gets the extract of her licence, brings it in and gives it to the insurance broker. The insurance broker gives it to the insurance company, and at the end of the day she gets a quote. She went from \$700 to, I think, over \$1,200. I don't have the particular amount, but it almost doubled.

She was already shocked last year that she got an increase. Now all of a sudden the insurance has decided a year later that they didn't get the right documents a year ago. So they said, "Here's your bill: 4,000 bucks." You tell me how a person with a perfect driving record goes from \$700 in Manitoba to \$1,200 when she initially got here to \$4,000 a year after. That's but one case.

Dan Mayer, who is the owner of a number of tow trucks in the community of Timmins, said his insurance per truck this year, without any claims, went up \$3,000. Is that fair?

I told you the case of Murielle Parent, of Parent Trucking, where their insurance had gone to over \$400,000 from \$40,000. That's why we have to have an amendment to include trucking companies.

We have Norm Julien, another one with a clean driving record. In fact, this guy is a driver instructor, so he can't afford to have accidents. He has no claims, nothing, a perfect driving record. He's gone up \$1,500 this year.

Those are just a couple of cases, and that's why we need public auto.

**Mr Tony Ruprecht (Davenport):** I just wanted first to congratulate the member from Etobicoke-Lakeshore

on a very lucid and clear presentation. I think it needs repeating that this first step to freeze the rates is going to be followed by a second step, and that is to have a reduction of up to 10%. That is the promise Liberals are making and have made in the past, and that's the promise that I understand our friend from Lanark-Carleton does not see, and I don't see why not.

Here we've got two parties. The one on the right is saying, "It's a waste of time to help motorists." He's saying, really, that it's a bogus bill and there's nothing in it. Well, we know what happened in the past. They were forced, in the dying days of the last election, to seem to be doing something, and they've failed miserably. Now, when the Liberals are coming up with good, clear and clean legislation, the member from Lanark-Carleton has the guts to stand up and say, "This is a waste of time." Where was the Conservative Party when the whole house fell in? Where was the Conservative Party when the consumers got screwed?

**Mr Colle:** Shafted.

**Mr Ruprecht:** Sorry—shafted. I'll take that back, Mr Speaker.

Where were you? Did you stand up? Where was this member for Lanark-Carleton when this took place? Where was he?

**Mr Sterling:** On a point of order, Mr Speaker: Is using the words "screwed consumers" parliamentary language?

**The Acting Speaker:** I believe the member turned—but if you could say "withdraw," please.

**Mr Ruprecht:** Sure, I'll withdraw it. I'll just superimpose "shafted," if he will accept "shafted." It's roughly the same thing. But he understands where I'm coming from. He understands really well. They didn't act, and do you know what they want to do? They want to prevent us from acting as well.

**Mr Ernie Hardeman (Oxford):** I too want to thank and congratulate the member from Etobicoke-Lakeshore for the very well presented presentation on the bill that's before us. I say that in all seriousness, because I understand how difficult it was to put a positive note on a bill that included very little. I could see that she did a very good job of that through the presentation. I too was very engrossed in her presentation of it, and if the bill had been as well prepared as her presentation, we might have had something here.

1710

As the members opposite have mentioned, we had a lot of discussion during the election campaign—in which I was fortunate enough to receive the confidence of my electorate to come here, of which I'm very proud and which I'm pleased to be able to do—about the insurance rates and what each party was going to do about them. If this bill were to address that promise, I would be here to support the members opposite in that endeavour. But the promise was to immediately freeze rates, which was something the leader of the government did the day after he was sworn in; he froze the rates. Now he comes in and he forgets that he had passed the starting mark and that in



fact he was supposed to be at the part where he said that within 60 days he would roll back the rates and save consumers 20% on their insurance premiums. My constituents are waiting for that to happen. Now we find we're just repeating that announcement of the first day to say, "We're going to freeze the rates and we're going to do more study."

That isn't what the people in my riding were expecting. They thought the consultation that was done pre-election and the discussions that took place during the election were in fact going to do something to alleviate this problem of ever-escalating rates. And in a lot of cases my constituents are having their insurance policies not renewed for various reasons, because the insurance company doesn't want to buy that risk. I think we need to deal with that now, not have further consultations for another two or three months or two or three years before we can finally solve the problem.

But I do want to congratulate the member opposite for a very well prepared presentation.

**The Acting Speaker:** The member for Etobicoke-Lakeshore has two minutes in summary.

**M<sup>me</sup> Laurel C. Broten (Etobicoke-Lakeshore):** Merci à tous les membres pour leurs commentaires. Nous avons agi promptement pour remédier au problème du taux croissant d'assurance-automobile. Nous attendons passer à l'action de résoudre d'une manière équitable et responsable les problèmes de l'escalade de taux dans l'industrie. Nous travaillons de concert dans le but de trouver de meilleures solutions, de meilleures façons à réaliser des économies pour faire effet aux taux d'assurance-automobile de 10 % de moins.

Les automobilistes paient trop cher depuis très longtemps. Plus de huit millions d'automobilistes en Ontario comptent sur leur gouvernement pour tenir sa promesse d'une réduction de taux, et c'est précisément ce que nous attendons accomplir. Nous veillerons à ce que l'assurance-automobile soit concurrentielle, abordable et disponible.

This is the first of three steps to move toward substantive reforms. It is time for a government to take strong action to protect consumers and motorists, and that's exactly what we're doing. We are going to start along a path of working toward long-term solutions to lower rates, cut insurance costs and improve protections. That's what we promised to the people of this province, that's what I promised on the doorsteps in Etobicoke-Lakeshore, and this is the first step to move us along that path to ensure that we will have lower insurance premiums and that we work in a co-operative and new way to find new solutions for the problems facing our province.

**The Acting Speaker:** Further debate? The Chair recognizes the distinguished member from Lanark-Carleton.

**Mr Sterling:** Thank you very much, Mr Speaker, and thank you for calling me distinguished. I appreciate that.

It is a pleasure to speak on this particular matter, because auto insurance rates for private automobiles is a

significant issue for a lot of people across the province. As I mentioned in some of my previous comments when replying to other speakers, the rates across Ontario are not the same in each and every community. I have two cars. When I insure the 1992 Ford Taurus—one of the newer models that we might have—here in Toronto, my insurance costs approximately \$1,100. That was what my insurance was for that particular car. That was a single car.

When I transferred the car under my Ottawa address, the insurance premiums fell to about \$600. Now you can ask, why would there be a \$500 difference? That was one of the things I was trying to say before in my speech in response to other speakers: it depends upon what's happening in that community. The problem in the GTA is that in some ways the former government was too successful in creating wealth, employment and growth in this area. As a result of that rapid growth we have had some increased congestion on our roads, in spite of the fact that our government spent unprecedented amounts on expanding and repairing our highway system.

The insurance rates are not set by people who are trying, I believe, to gouge people. Yes, businesses are trying to make money, but they're not out there to gouge somebody unnecessarily. That is borne truth by the fact that there is significant competition in this area. I believe that there are something like 150 or 160 companies that are presently in this business. It comes down to the government to have to make—

**The Acting Speaker:** Excuse me. Could the members just keep their conversations down a bit, please?

**Mr Sterling:** As interesting as it was, I was surprised by the distractions as well.

The real answer in this equation is to try to develop a system where there's no fraud, where the administration costs are as low as possible, where the legal costs are as low as possible and as much as possible can go back to the client or the automobile owner when he or she has an accident.

That is done by a practical number of things. But our sitting in this Legislature and trying to arbitrarily say insurance rates are going to be this, or this minus this, is very, very difficult to do, and it requires a lot of work on behalf of the government to work with the insurance industry to find out where the weaknesses and the problems are in the insurance industry.

We were doing that. In fact, in August of this year we came forward with a plan with the insurance industry to reduce insurance costs by \$1.4 billion. That means that we were taking \$1.4 billion out of a pot of about \$9 billion, which is somewhere between 15% and 20%. That would mean that car owners could expect some alleviation in terms of the premiums they paid for their car insurance.

The notion that this bill does anything new is really bogus. This bill says to the insurance industry, "You must freeze your rates until January 23." Then it says that an insurer can go to the superintendent and the superintendent can approve a smaller increase, unless the

superintendent finds it is in the public interest and justifiable to increase the rates. The problem with allowing a quasi tribunal or someone to act as an arbitrator over rates is the fact that the industry—whether it's in the energy industry or in the hydro industry or in the insurance industry—is always better capable of producing an increase in the rate structure than anyone else. Consumer groups are not well-equipped enough to meet the demands of going to a regulator and saying, "The insurance company is making too much here, so the rate should be lower."

Our belief is to work practically with the insurance companies, look at the areas where savings can be met and then have a very, very competitive atmosphere so that one company is bidding against the other for your or my business. Only in that way will we keep the rates down.

1720

In the 1980s, the Peterson government, the former Liberal government, brought forward a package of no-fault insurance, and that particular package was very regulation-oriented. Guess what? People found ways around the regulations. The insurance industry was making probably unprecedented rates of return, because they know how to deal with the regulations, but the poor consumer was getting higher and higher auto insurance premiums and less and less coverage.

When we enter into this debate, when we try to fix this problem, we have to be practical, we have to be realistic about what we can expect at the end. This bill, as I said before, is difficult either to oppose or to support, because it really doesn't do anything. Really, everything that's in this bill can be done by the government right now. You can make regulations to deal with these particular matters. Outside of the law, you can bring a tremendous amount of pressure on the insurance industry to hold fire until you have an opportunity to look at the matter and come forward with some real and practical resolutions to the existing problems in our insurance industry.

One of the things I did when I was Attorney General was appoint several crown attorneys to become more conversant with fraud in the insurance industry and train those crown attorneys to be specifically skillful in bringing forward convictions, charges, in the courtroom when dealing with automobile insurance fraud. So in some ways that was a small step to deal with a problem that the insurance industry guesses is somewhere around \$700 million or \$800 million across the province of Ontario. That is about 10% of the pot. If we could get rid of all the fraud in the automobile insurance industry, we could drop premiums by 10%.

Lastly, I must say that this bill does nothing to meet the promise. The promise was for a 20% reduction. This bill gives no reduction; it's a holding pattern. The only way we're going to get real reduction is by rolling up our sleeves, looking at reality, looking at how we're going to reduce fraud, looking at whether the benefits are realistic in terms of the cost and coming to a conclusion with the industry, allowing it to compete in a wide fashion so we

have lots of insurance companies coming after each and every one of us to insure us. That's the way we will have long-lasting, low insurance rates. Our government was on track to do that. I'm proud to be a member of the Conservative Party, which believes that the private sector can in fact provide this service cheaper than the public sector.

**The Acting Speaker:** Questions and comments?

**Mr Prue:** It's always good to hear the member from Lanark-Carleton. He speaks with conviction, even though I do not agree with that conviction. People across this country are starting to understand that the old way of doing things, particularly in dealing with insurance companies, is not going to work.

I would invite all of the members of the Legislature, but particularly the ones in government, to go on to this Web site—I'll give it to you—and I hope some of you will write it down or at least read Hansard tomorrow and get it: [www.liberalopposition.com/policy/insurance.aspx](http://www.liberalopposition.com/policy/insurance.aspx). This is from the Alberta Liberal Party, which is in opposition. I'd just like to read to you a little bit about what they have to say on their Web site, because the light has finally gone on in Alberta above the opposition Liberals' heads:

"Did you know ... a recent national study found that provinces with public systems also have the lowest insurance rates?"

"The Alberta Liberals believe in people before profits. Our made-in-Alberta plan for auto insurance builds on some of the principles that have been successful for the Insurance Corp of British Columbia (ICBC)—a public tort system of insurance.

"Our plan would:

"lower premiums for good drivers regardless of their age or sex;

"guarantee basic coverage to all legal drivers;

"put an end to the excessive insurance industry profits that have picked drivers' pockets;

"reduce the medical, legal and administrative costs of providing insurance;

"promote and enforce measures to keep Albertans safe.

"Our plan would not:

"place unfair caps on necessary medical and rehabilitation services for Albertans injured in motor vehicle accidents."

Part one of the plan being put forward in this Legislature today would not deal with any of this. It would particularly put at risk those who find themselves injured because it will allow private insurance companies to further reduce the benefits they pay to drivers.

**Mr Khalil Ramal (London-Fanshawe):** I'm honoured to be here today to talk about a very important subject for three parties. This subject is very important to all of us and everyone approaches it in a different way.

If we go back a bit to the past when the NDP was in power, they won the election on a platform that would have made insurance public. When they won the election,



they didn't use it. They said it was costly, it would cost a lot of jobs across this province.

Then we got the Conservatives. Today we hear all of them crying about the price of insurance, the price every customer in this province has to pay to insure their car. What is their solution? They're trying to protect the insurance companies to make more profit and more money. When we try to introduce a fair bill to protect the car drivers of this province, they try to say we're not doing anything.

My friend, after we took office, within 10 minutes, our Premier put a freeze on that insurance and then we offered all the people across the province a 10% reduction after 90 days. You have to give us the time, and watch and see. You had between eight and nine years; you never did anything about it. Now it's time to do the job. We are honoured to be part of a government taking the initiative and supporting that bill. We're going to pass it and the people of this province are going to get the benefit of it.

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):** I want to thank my colleague from Lanark-Carleton for his very measured and deeply thought-out comments on this bill. I have a great deal of respect for his tenure in this House. He clearly understands the insurance file very well.

He's absolutely correct when he says that this bill does nothing to address the problems that exist in the insurance business in Ontario today. What they're talking about is a temporary freeze, some kind of sleight of hand propagated on the people of the province of Ontario to try to convince them that this government is actively working to reduce auto insurance rates in this province, when in fact this bill does not address a reduction in auto insurance rates at all. What it does is talk about a huge loophole in section 6 to ensure that insurance companies concerned that they may not be making money can simply apply to the superintendent and increase those rates.

**Mr Ruprecht:** What's your plan?

**Mr Yakabuski:** We had a plan in place, I can tell my honourable colleague on the other side of the House, such that had we been elected and the provisions in that plan been implemented, we'd be seeing lower insurance rates happening in this province as we speak. But this bill does nothing to address the problem of escalating insurance rates in the province. As my colleague from Lanark-Carleton said, it's a bogus bill. It's a bill of nothing. It's smoke, it's mirrors, but nothing will be done as a result of this bill to reduce insurance rates in this province. Therefore, it should simply be withdrawn.

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**Ms Kathleen O. Wynne (Don Valley West):** The thing about chronic issues is that they are complex. That's why they're chronic. I think everyone would agree that we're dealing with a chronic issue when we talk about auto insurance. I think one of the members previously talked about it as a chronic issue: it keeps coming up.

When I was on the campaign trail, periodically a voter would raise the issue with me. Quite frankly, there were other issues that were of much greater concern to people, so I heard much more about education, I heard much more about health care, but the common theme was that there had been neglect in those sectors; there had not been action taken on those issues. That held true for the auto insurance file as well.

What I noticed during the campaign was that when our party put out a plan, the people who did raise the auto insurance issue were calmed by the fact that we had a plan, and it didn't blow up into a huge issue because we had a plan of action and we're following through on that plan. This bill is the first step. This bill sets a framework in place; it paves the way for lowering those rates, which is what we promised to do. First we've got to freeze them, then we've got to work with the insurance companies to find the savings, and then we'll be able to lower the rates. That's what we said we were going to do; that's what we're doing. I think we all recognize that the costs in the insurance industry have to come down. We're going to put the framework around the industry in order for that to happen, and then we can lower the rates.

So I think we are on the right track. We're doing what we said we were going to do, and we will be in a position then to have those lower rates delivered to the citizens of Ontario, as we said we would.

**The Acting Speaker:** Further debate?

**Mr Kevin Daniel Flynn (Oakville):** It certainly is a pleasure to join this debate on what I think is a very practical issue.

If I remember back to the election days, knocking on the doors in my great riding of Oakville, people told me that this was an issue that affected them personally. It was an issue that affected their wallets and it was something that they wanted a government to act quickly upon. I'm proud to join this debate because this bill does exactly that: It allows this government to act quickly.

We're delivering on another major commitment by taking steps to lower auto insurance rates and provide the protection that Ontario consumers have demanded with car insurance. We're determined to act responsibly to protect auto insurance consumers by reducing those out-of-control costs and making sure these cost savings are indeed passed on to consumers as lower premiums.

One of our key commitments to Ontario voters was to halt the spiral of auto insurance rates. During the election, the electors of this province had three choices: They could continue with the approach to this issue by the Progressive Conservatives, who were a party that in my opinion sat back while auto insurance rates just kept increasing—and they were increasing. It wasn't something that people suspected might be happening; it was something that you can place numerical values on.

In the fourth quarter of 2002 alone, for example, rates increased by 9.2%. In the first quarter of 2003, we saw a 7.3% increase in auto insurance premiums; in the second quarter of 2003, an 8.5% increase. By the third quarter of

2003, and that's only two months ago, there was an 8.2% increase in auto insurance premiums.

We were warned by the Insurance Bureau of Canada in 2001 that costs in the system were about to go out of control, but nothing was done by the previous government.

They also could have looked to the NDP for a solution to this, and they could have supported them perhaps. The NDP had promised public auto insurance in 1990, but when they were elected they reneged on that crucial promise; in 1991, they reneged on that. Bob Rae, the then Premier, said it would cost too much money and it would cost too many jobs. A government-funded study at the time said public auto insurance would cost over \$1 billion to implement.

I believe at election time that the people of Ontario and the people of Oakville were looking for a government that was prepared to act quickly, and that's indeed what we did. This bill, if passed—and I hope it certainly does pass—would freeze insurance rates at levels approved on or before October 23 of this year and would prevent any further appeals or approvals from taking place for 90 days.

I see this legislation as a first step. It allowed us to act quickly. In fact, it allowed us to act so quickly that it was the very first thing this government did. These measures maintain both the availability and the choice for consumers in obtaining automobile insurance.

To be quite clear to the people of Ontario, what this bill means, if passed, is that auto insurance rates would be temporarily frozen for private passenger vehicles at those rates that were approved either on or before October 23, 2003. Approvals of applications under the Insurance Act for private passenger vehicle rate changes would be suspended while this bill was in force. Every insurer that's affected by the freeze would have to reapply to the superintendent of financial services by January 21, 2004, or a day specified by the superintendent not more than 30 days after January 23 for approval of its risk classification system and rates. The superintendent could then require a rate to be reduced or otherwise varied, but no rates or risk classifications could be implemented without the superintendent's prior approval.

By introducing this bill, it shows the commitment of our party and it shows that our priority is consumer protection. With this bill, insurers who fail to comply with the bill could be prosecuted, have their licences suspended or even cancelled under the Insurance Act and/or could be ordered to refund premiums charged in excess of authorized rates.

Our legislation gives us the authority to move forward and act on our electoral commitments. It will reduce auto insurance rates and make sure that those savings are passed on to consumers, just as we promised in our election platform.

The parliamentary assistant to the Minister of Finance has been meeting with a number of groups. I myself have been meeting with a number of groups over the past few

months, with health professionals, and with people in the riding of Oakville who simply can't find auto insurance or are finding that their premiums have been doubling and tripling overnight. Mr Colle will soon be coming forward with a number of key recommendations as to how those savings will be realized. In the long run, our cost savings reforms will result in lower taxes, and I think that's great news for drivers in Oakville, across the GTA and across Ontario. We will continue to work toward a long-term solution to lower rates. We'll cut insurance costs and we'll actually improve protection. That's what we promised and we're going to deliver on that promise.

As I said earlier, by introducing this bill we are keeping another promise to the people of Ontario. We're keeping another commitment that was made. We're going to lower auto insurance rates in this province. We're doing what we promised Ontarians we would do. Auto insurance rates, as I've said earlier, have been skyrocketing—more than 20% in the last year alone.

You have to understand, Mr Speaker, and I think the people of Ontario understand, and I think all parties understand, that this isn't a product that people have a choice about buying. If you want to own a car in Ontario, if you want to drive that car in the province of Ontario, it is the law that you have insurance. What people want to know is that, when they go out and comply with that law, when they go out and purchase insurance, they're buying it in a free and open market that is giving them a competitive rate, that allows them to shop around, that allows them to buy the best coverage to suit their individual driving needs.

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We acted almost immediately to bring that in as our first order of business, and we will act swiftly after this bill is passed, and I certainly hope it is passed. In the meantime, to protect consumers, we have introduced, as I said, serious deterrents for insurers that fail to comply with the bill. I think we've heard a lot of information around this bill, and a lot of it may be confusing to the people of Ontario. But at our request, insurance companies haven't raised their rates since October 23, and yet some drivers are still facing increases. What I think the people of Ontario have to realize is that the increases that many of them are seeing to their insurance today are as a result of premium increases that were approved under the previous Progressive Conservative government. So, depending on when drivers renew their own policies, they may be experiencing increases due to rate hikes approved before that date of October 23, 2003, prior to this government's swearing-in. We have acted quickly since we've been sworn in. The trend of higher rates that we're trying to address is a legacy of a previous government.

We will not make the same mistake. We have committed to act quickly, we have committed to act sensibly, and we have committed to consult with the major stakeholders on this bill. This debate is allowing us to move forward and make this a reality for the people of



Ontario. We are committed, in other words—to quote the finance minister—to doing the job we were elected to do responsibly, fairly and well.

Insurance premiums, as we know, have been rising out of control for years. We must ensure that Ontario continues to have a competitive and healthy auto insurance marketplace that is available to all the people of Ontario. There's probably no issue that touches as many people in such a common way as the issue of automobile insurance. Many people earn their living from the insurance business. Many consumers use insurance as a means to earn their own living. We plan to consult with all those members. We plan to bring everybody into the fold. We plan to take all that information into account as we address this bill and move forward.

**The Acting Speaker:** Questions and comments?

**Mr John O'Toole (Durham):** It's my pleasure indeed to stand up and first acknowledge the member from Oakville and respect the fact and congratulate him for being here. In fact, this is one case I might think it was great that the member from the Liberal government actually won the riding that Mr Carr held, but that's a whole different topic.

When I look at Bill 5, I really look at the interesting challenge ahead of Mike Colle in terms of trying to deliver on a failed promise. You can't have it both ways, and I think the election promise was something that my constituents are very disappointed in. They felt that their rates weren't going to be frozen; they were going to be reduced.

As PA to finance, I did some consultations on auto insurance. I understand some of the cost drivers, one of them being the designated assessment centres. There's got to be more time spent on eliminating non-value-added assessments through the DACs. Some of them cost up to \$5,000 and don't deliver one service. They put them through these harsh assessments that are very inconvenient for otherwise victims of accidents, and so I expect that Mr Colle will look into that as well.

But you know, the whole idea of pooled risk is a very interesting matter. I've got a site here from a Mrs Sterling, to whom I spoke—not Norm's spouse.

**Mr Bisson:** Is that Norm's mother?

**Mr O'Toole:** No, no relationship to Mr Sterling, thank goodness. But this constituent of mine was quite sincere and, I might say to the member from Oakville, very upset. They had been insured by Motors Insurance for 15 years with absolutely no claims. These are professional people, to the extent that they haven't had claims; they're solid citizens. Their insurance has gone up 37.5% with no explanation and no increased risk. I put it to Mr Colle: You have 90 days. I expect you to fix it, and that means reducing the cost of the premiums to my constituents in the riding of Durham.

**Mr Prue:** As all members have said, this bill, whether you're in favour of it or not, is not going to do very much. It's not going to reduce the rates at all; it's merely going to freeze them for 90 days while this government explores options on how to look to further reduce the

costs for the private insurance companies, hoping the private insurance companies will then be able to find the 10% to give back to drivers.

I will tell you, it's quite clear what is going to happen when Mr Colle goes around the province, particularly to insurance companies. When he goes to the insurance companies, they're going to have a wish list of things they no longer wish to pay. They're going to have a wish list of raising the deductibility. They're going to have a wish list on further circumscribing the rights of accident victims on which medical professionals they'll be able to see. The wish list will be almost as exactly the same as the Conservative wish list that has been foisted upon consumers in this province, effective October 1, 2003. The day before the election there was a wish list that was passed on to the insurance companies, and they have instituted those now without reducing any rates whatsoever. When I get an opportunity to speak more at length, that's what I want to speak to.

What is going to happen, quite frankly, when they go to consumers is quite another matter. The consumers are going to expect a reduction, but the consumers are not going to expect that the insurance companies are going to be able to gouge accident victims instead of the general public. They are very mindful that if you have whiplash or you are involved in an accident or you have to take time off work as a result of the accident or you have to pay out-of-pocket medical expenses, these can be very expensive. They are looking for solutions to that as well.

**Mr Colle:** I want to congratulate the member from the beautiful riding of Oakville, where the Trafalgar moraine and Bronte Creek Provincial Park sit, for his very informative interjection and speech here on auto insurance.

Unlike the former Tory minister, who said that doing something about auto insurance through Bill 5 is a waste of time—that's what he said—here we are, and we may not be perfect, trying to do something about what we all agree about: Auto insurance is in a mess; it's dysfunctional. So here we are, legitimately trying to do something about it to help the motorists, and we hear the Tory ex-minister saying, "What's the use of trying?"

I don't mind his criticizing us for what we have in our bill, but he didn't even read the bill. Bill 5 does something the Tory government didn't have the guts to do. They don't even know this bill gives the commissioner of financial services, Mr Bryan Davies, extra powers to rein in the insurance companies. For the first time he can say to them, "If you don't file a 10% reduction, you don't do business in Ontario." They think we shouldn't do that.

We are putting forward this bill for the protection of motorists whom the previous government denied were having these problems. First of all, we're going to freeze them, as we have done. We are then going to bring back the 10% reduction. More reforms are coming. I agree with my colleague from Durham: The DACs will be fading away very soon. Then we will bring in an optional policy. We will do more modelling of insurance that is for the motorist, not for the special interest groups.

**Mr Ramal:** Thank you for giving me the chance to speak and comment on my friend Mike Colle's eloquent and articulate answer to my friend here from the Conservative Party, Mr O'Toole, I believe. All they do is cry and cry. For nine years they had the chance to solve the insurance issue but they never did anything about it, just talk and talk. Now we're trying to deal with it in a professional, honest and sincere way to help all the drivers across the province have a better way to deal with insurance companies. What do they do? They're wasting our time. I actually appreciated it when he asked Mr Colle to help him reduce the insurance of his or her friend—either way.

*Interjections.*

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**Mr Ramal:** Yes, they will be.

**The Acting Speaker:** I remind the members to direct their comments through the Chair.

**Mr Ramal:** Sorry, Mr Speaker. After we introduce Bill 5, it will basically solve the insurance issue across the province. After leaving this issue floating in the sky for years and years, nobody dealt with it in a courageous and strong way except the McGuinty government, which is trying to do it in a professional and efficient way in order to help every driver across this province. We're not just crying a promise and not delivering. We promised and we are delivering. We will deliver. Time will tell.

**The Acting Speaker:** The member for Oakville has two minutes in summary.

**Mr Flynn:** I would like to thank the member for Durham, the member for Beaches-East York, the member for Eglinton-Lawrence and the member for London-Fanshawe for their comments.

**Mr O'Toole:** How about the member from Durham?

**Mr Flynn:** I said it. I put particular emphasis on Durham."

We are determined to act responsibly to protect auto insurance consumers by reducing those out-of-control costs. During the election, all parties put forward an auto insurance plan. We all agreed that it was a problem that needed to be addressed and we asked the people of Ontario, "Of all the plans, which one do you think is the one you'd prefer to be implemented?" I think on October 2 the people of Ontario spoke, and when they spoke they said they would like a majority of this House to be members of the Liberal Party. As a result of that election, we've implemented an auto insurance plan that was included in our platform. We're determined to move forward with that plan. We're determined to keep our promises to the people of Ontario.

This legislation gives a very exact framework within which, by around January 23, 2004, we will have a package of savings in place that will allow auto insurance companies to reduce rates by an average of 10%. What I promised the people in Oakville, as I was knocking on doors during the election, is that I would do just that. In supporting this bill, we are following through on a commitment we made to the people of Ontario. We are

keeping our promise. We are going to deliver lower insurance rates.

**The Acting Speaker:** Further debate.

**Mr Hardeman:** It is indeed a privilege to be able to stand this afternoon and speak to Bill 5, the Automobile Insurance Rate Stabilization Act. The reason I'm having a little trouble with it is that I don't read anything in the bill that talks about stabilization because I don't believe it does that. I'm sure that, as the member opposite and other members have mentioned, this is part of what was put forward on October 2 to the people of Ontario. Everyone had some plan to deal with the problem that my constituents were seeing in auto insurance, and the ever-escalating price. But I differ with the comments from the government side when they suggest that this bill meets the package or the comments that they put forward in the election. I just wanted to go over some of the things that were in the package that the Liberal Party, and now the government, put forward to the people, which my constituents liked and supported.

The first one, of course, was an immediate rate freeze and, I would have to admit, and gladly admit, the Premier made that commitment and filled that commitment immediately after being sworn in. I read in the paper after that announcement that the auto insurance industry was prepared to work with the government to make that happen so no further legislation would be required because they could carry on and have the freeze in place until such time as they could meet.

The second part of that same sentence says that within 90 days of taking office they would cut that rate by 10%. I have to assume that when they made that commitment to the people of Ontario, they knew what it would take in the insurance industry to reduce the rates by 10%. I guess I would have to say that the initiatives the Conservative Party had put forward in the election in fact showed how that could be done by passing some regulations and setting some different standards and so forth to have that put in place. In fact, that would have introduced a 15% rate decrease. The Liberal Party has decided not to take that initiative because that would somehow show that they didn't have all the answers, that they were taking the advice of some other people. They didn't feel that would go over well. I have to assume, when they put this plan forward, that they did have the answers to the commitments they were making, that they knew what it would take to achieve those commitments.

So I do have a little problem with suggesting that now all the bill is going to do is allow further consultations to find out how we can achieve the commitments we've made. I'm from the school where I would have thought that those decisions would have been made or that information would have been available.

One of the things that troubles me even more in this bill is that for extraordinary circumstances the insurers can make applications to increase their rates. Recognizing that before this bill they needed to get approval from the insurance commission to raise the rates, it now just says, "We're going to put a freeze on, but anyone



who deems that they have an appropriate reason can apply to have their rate raised." Again, there the bill does absolutely nothing.

The next item was an additional 10% premium reduction for customized insurance coverage. Again, I think that's a laudable goal. I know when I was running my election campaign, the government party had its campaign office, and the big sign in the window said, "Vote for us, and your insurance will be reduced by 20%." I expect a lot of my constituents read that. I would hope that now that there is an opportunity for the government to put that in place, they would move forward with putting that 20% reduction in place, but nothing in this bill does it.

Again, it says that they're going to provide protection against unjustifiable rate increases. I guess I'm going to presume that this bill suggests we're going to have consultations to decide how we're going to do that. Again, why would we not, if we're promising to do that, have some idea how we were going to do that and why we were going to do that? I would say that if this was put in the campaign document, somehow someone would have known that there were unjustifiable rate increases. If they knew they were there, I would suggest that we would not wait 90 days or 120 days or six months or six years to fix it. If they're unjustifiable rate increases, I would think the government would be prepared to help my constituents, who are finding it almost impossible to pay for the insurance so they can get in their car and go to work. Of course, we all recognize that you cannot drive the car without insurance. But we are seeing more and more of that happening, in my opinion. I'm not a policeman. I don't know that for a fact. But the stories I hear from my constituents are that they can't afford to buy the insurance, and they feel that there are a lot of people out driving without that insurance.

Some other ones: They're going to reduce excessive court costs. I would assume that if that were part of the plan of the government, they would have decided or known at that time, when they said they were going to reduce the excessive court costs, how they were going to do that and, in fact, that there were excessive court costs in the program. I don't believe they're doing that.

The one I really find interesting: They're going to identify \$650 million in industry savings. If they know how much it is and what needs doing to accomplish that, I would suggest that you wouldn't put a freeze in for a number of days so you can have public consultations on what needs to be done. I don't think anyone in this province would suggest, if the industry savings can be achieved, that we shouldn't do that, because we wouldn't want the cost of our insurance to go down.

It shows me that we've put forward this proposal that sounded good with absolutely no intentions of keeping it in place.

**Mr Bisson:** On a point of order, Mr Speaker: I can't believe the Tories are filibustering. I don't know; I can't take this any more.

**The Acting Speaker:** That's not a point of order.

Few of you have been paying attention, and I'm surprised you're doing it now, so we're going to sit and listen to the last three minutes and seven seconds. Continue, member for Oxford.

**Mr Hardeman:** I wouldn't want to take this opportunity to ask members of the Legislative Assembly to sit when they really aren't supposed to be sitting, that somehow my discussion would keep them here. I'm sure that no one in this House would not know what I'm going to say. I'm not sure everyone on the opposite side would admit it and agree with it, but I think they all know that the promises made are in fact, in this piece of legislation, not being kept.

This is not a document that's going to deliver on the promise that said to the people of Ontario, "We're going to have an immediate freeze." Incidentally, I believe that the immediate freeze was put in place, as the Premier promised, moments after cabinet was sworn in. This legislation does absolutely nothing more than that. I don't believe that this legislation is delivering on anything except affording my honourable friend across the aisle time to do more consultation to see if they possibly can find some of the answers they told the people of Ontario they had.

**Mr Bisson:** On a point of order, Mr Speaker: I want to draw your attention to standing order number 9. It says that the House shall adjourn at 6 pm. Mr Speaker, it is past 6 pm, and I would ask that you maintain the standing orders.

**The Acting Speaker:** Thank you for your advice.

**Mr Hardeman:** In order not to create a rift between the Speaker and the member down there—I would just point out that I would ask the Liberal government to have a look at—

*Interjection.*

**Mr Hardeman:** No, I don't have to sit down. The Speaker is sitting. Thank you very much.

I would just ask the Liberal government to look at implementing those regulations that were put in place by the previous government, enact them so that at the very least, as they go through the process of looking at the insurance industry, the people in my riding, my constituents who can't afford insurance for their cars, would immediately receive that 15% decrease so they can carry on while they're waiting for the results from this consultation.

**The Acting Speaker:** Having noticed that it's past 6 of the clock, this House will adjourn until 10 o'clock tomorrow morning.

*The House adjourned at 1803.*

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**Thursday 4 December 2003**

**Jeudi 4 décembre 2003**

Speaker  
Honourable Alvin Curling

Clerk  
Claude L. DesRosiers

Président  
L'honorable Alvin Curling

Greffier  
Claude L. DesRosiers





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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 4 December 2003

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 4 décembre 2003

*The House met at 1000.  
Prayers.*

## PRIVATE MEMBERS' PUBLIC BUSINESS

### ANAPHYLACTIC STUDENTS PROTECTION ACT, 2003

### LOI DE 2003 SUR LA PROTECTION DES ÉLÈVES ANAPHYLACTIQUES

Mr Levac moved second reading of the following bill:

Bill 3, An Act to protect anaphylactic students / *Projet de loi 3, Loi visant à protéger les élèves anaphylactiques.*

**The Acting Speaker (Mr Bruce Crozier):** Mr Levac has moved second reading of Bill 3.

**Mr Dave Levac (Brant):** Thank you, Speaker. I deeply appreciate the opportunity to address the House today, but before I move into the actual content of the bill, I would like to take this opportunity to thank the many people who have made contributions, particularly my previous assistant, Jane Almeida; today's assistants, Melanie Francis, Stephanie Radcliffe; and Mr Bill Chopp, the superintendent of education in the Brant Haldimand Norfolk Catholic District School Board for his input; and to the many stakeholders, in particular NASK, the Niagara Anaphylaxis Support and Knowledge group struck out of the Niagara region, which works very diligently, soon to arrive. I see they're slowly coming in. Cindy Paskey, the president of NASK, and Renee Backshall and Roland Seehagel will be joining us shortly. I welcome them in the gallery today, and I thank them very much for being here, for their support.

I think it's important for us to point out some issues that have arisen in the not very distant past, just a little while ago. We have some situations that bring home why this bill is important. I want to start from the onset. This situation, anaphylaxis—that's the response—kills. We've had examples of young children dying as a result of anaphylactic shock.

Thanks to the work of NASK and many other people, we have come to realize that this extreme measure of allergic reaction is deadly, so in our platform we will provide public schools with guidelines on how to treat a child in anaphylactic shock due to these extreme allergies. Without immediate attention, severely allergic children can die from anaphylactic shock. To protect

children with life-threatening allergies, we will require every school to develop an anaphylactic plan based on province-wide standards.

Where those standards come from will be indeed in consultation. We need to get this bill into committee so that all the stakeholders have an opportunity to give input into their concerns, their issues, and an issue I want to bring to the attention of the House immediately is one of privacy and legal issues. I will not propose to you that every single bill in this House is perfect, and I stand before you asking the House to ensure that our stakeholders on this issue have input, including NASK. They are quite aware of the bill, they support the bill, but there are some issues that need to be addressed.

I want to walk over some general facts before we get into the actual detail of the bill. Some 2% to 5% of all Canadians, approximately 600,000 people, live with the risk of anaphylactic shock or reaction. More than 50% of us know someone, somewhere, with a life-threatening allergy. Those allergies can come under the guise of food and man-made products. Quite frankly, we all know somebody who has heard that before. They're allergic to peanuts; they're allergic to peanut oil; they're allergic to nuts; they're allergic to grass. They're allergic to many things. But what I want to make sure that everyone understands is that this is not a bill to take care of allergies; this is a bill to take care of anaphylaxis. I have a colleague who will be speaking to the medical issues involved around this. We're sorely behind when it comes to the protection of those people who can die in less than two minutes if we do not take care of this issue. We do know that people can die within minutes if not treated properly, and minutes translate into seconds to save a life. So I'm asking the House to get involved.

Right now, as it stands, the Education Act is silent on this issue, silent on this specific issue. It's a life-and-death issue, and the Education Act is actually silent. What it does say is that principals are responsible for the health, security and safety of the students in the schools. There are some guidelines in existence.

I would suggest that a vast majority of our school boards have taken this issue seriously. They do have policies; they do have procedures in place, the vast majority. However, what we do know is that we do not have records of the consistency across the province on how this is dealt with. We do not have that.

Food is the most common cause for anaphylaxis, but reactions can also be caused by bee stings, insect stings, medicine, latex and, believe it or not, exercise in some cases because of the reaction in the body. We're learning



more and more about this response as we move forward, but the one response that I have been passionate about is the consistency of standards, either through the Ministry of Education, the Ministry of Health—whatever body decides that we need to standardize the response for the sake of those children, we need to get those ministries involved to set that standard so that no matter where you come from in this province—Moose Factory, Windsor, Brantford, Simcoe, Mississauga—you know that the children in our schools have a plan, it's mandatory and it's consistent and knowledgeable. It's based on three pillars.

The first pillar is education. Believe it or not, we have people in our schools who don't know what anaphylaxis is. We need to show them how to respond. We need to know proactive stances of how to make them less likely to be exposed to anaphylactic response. That's important; something as simple as taking a garbage pail and not letting it sit in front of the door, where kids line up to go in and out of school; simply taking that garbage pail and moving it somewhere else so the bees go there instead of in front, where the kids are.

The second pillar is response, medical information; knowing that, in the responsibility of our parents to work with our schools to ensure that we know who has this response. We will have to work with the Attorney General's office to ensure that our integrity is held in terms of law. We will have to work with the privacy commissioner. We will have to work with many stakeholders to ensure that our students are cared for.

#### 1010

This is not about party politics; this is not about this place; this is not a territorial or a geographic domain. A bee doesn't know where a border is. This is not about organizations and stakeholders, about principals councils, the teachers groups, the school boards, the parent groups, the health officials, the legal field; this is about pulling all those stakeholders together and saving lives.

We've got examples. Right now, they're dealing with a sample, in this province, of a seven-year-old girl who was suspended from school because she had an anaphylactic response. Is that not backwards?

We need to spend our time, our energy, our effort, in saving the lives of children who, through no fault of their own, are faced with life-threatening situations. There has been great work done in our province from stakeholders, from groups, from organizations, from concerned parents, who need to be able to get in the door and work with our schools, our school boards and ensure that those children are protected and not stigmatized through no fault of their own.

I personally have had to deal with this issue as a principal over a 24-year education career. I've had to face this five times. One time was critical. We had a plan in place and we did what we were supposed to do, but I dare say that's not the case across the province. My support is not based simply on a book knowledge; my support for this bill—and I hope each and every one of our members will be able to say this too—is based on the

fact we need to put things in place to protect the lives of our children, and anyone else for that matter.

I will explain to the House that I want this to go to committee, because there are some concerns about the bill. I want the stakeholders to step forward. I want the commission, the legals, everybody, to work on this bill to make it work. I'd rather make it work right the first time than to have anyone step into a school and say, "You can't come to school because you've got a medical condition," or worry about liability issues, lawsuits and work.

The reality is a simple one, a very simple one. This type of legislation is going to lead the nation, clearly, that we have identified a problem, we are going to fix the problem and we are going to assure those children and their parents that they can go to school and be protected to the best we can do. I'm asking for support of this bill in this House.

**The Acting Speaker:** Further debate?

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):**

I'm very pleased to join in the debate this morning with respect to this private member's bill from the member from Brant. Certainly I can relate to the situation we're dealing with here in terms of legislation, which is Bill 3, having children in the school system and having—probably in the last couple of weeks—received a letter from the school indicating that there is a child with that type of disability and not to have your child bring any peanuts or whatever in their lunch bucket.

I think the boards—at least my board; I'm dealing with the boards within my riding—do have a policy with respect to dealing with this particular issue. It's an important issue. But, I know from my personal knowledge that that is something that's been enforced within the schools. I think perhaps the member, in his private member's bill, is trying to establish a little bit clearer guidelines, with respect to how to deal with that.

It does indicate that this was a part of the election platform of the governing party. I have to commend the member for pushing this forth, but it's certainly not the government that is doing this. This is a private member's bill. It would have been a lot stronger, I would submit, having done private members' business, if this would have been a ministry bill put through by the Ministry of Education as part of the government initiative in this area. The fact that it's not does suggest that the member is pushing this in his own way to bring it to the attention of his own government because they're not driving it. Everybody who has been here for a while knows that in private members' business, you can push your bill to the point of having committee hearings and it may just die there because it doesn't have the backing of the government. There's nothing here that indicates that this has the backing of the government other than it being a promise that they've put forth in their platform.

I think we have to look at it in that particular vein. If the member, who I believe is the government whip, has got the power to make sure that the government lives up to this commitment, I commend him for that. But the fact

of the matter is and the reality of the matter is that this not a government bill; it is a private member's bill that could face the order paper that we do every time with respect to private members' bills, and they don't get into law.

As everybody knows the process, there's a first reading, a second reading if the House decides, and the House will decide today whether there are going to be public hearings. After the public hearings, we come back to the House for third reading. If it receives third reading, then it will go to the Lieutenant-Governor for his consent. That's the process. Certainly that's what we're going to have to deal with today as we go through this.

In principle, I certainly support what the member from Brant is trying to accomplish in his own individual way as opposed to the government living up to their commitment, which they said they would do during the election. Here we have a private member bringing forth a bill to bring the government in accordance with their promises to live up to what they said during the campaign. I guess time will tell whether this, in fact, will become law.

I will say that there are some interesting legal issues here. I think the member has put it forth very correctly with respect to issues facing the Attorney General and the Privacy Commissioner. I think one of the main ones here that catches my eye is that in his backgrounder he indicates getting signed consent for school staff to supervise and/or administer the use of physician-prescribed medication for suspected anaphylactic reactions. That in itself will be a challenge because, first of all, you're going to have to get the consent of the parent to allow that to happen to their child. Secondly, you're going to have to get the consent and willingness of the individual from the school board to actually do that, and then the caveat that comes on with it is that there be no action for damages resulting from the administration being permitted.

That's obviously going to catch the eye of any parent with respect to having their child being administered drugs prescribed by a doctor by an individual who does not have that professional capability and training with respect to how to use that. I think what we're talking about here are very extreme measures where this could be used. Then there's a further caveat with respect to there being no action for damages resulting from the administration being permitted "unless the damages were the result of gross negligence." That is a wide-open term with respect to that. If I was a school board individual being given that particular coverage, I would be very hesitant, very reluctant with respect to administering a medication. I'm not a doctor; they're not doctors. They can be trained to a certain degree, but "the damages were the result of gross negligence"—"gross negligence," when you're dealing with someone who is a layperson, who is not a doctor, that's going to be a very wide term and it's going to be a very contentious term with respect to what gross negligence would be. If you're faced with the situation where you know the child has that type of reaction, you've got a situation where you believe from

whatever training you have received that the child is in discomfort, the question then becomes: How do you extend that to say that the child is at risk? Who are you as a layperson to make that decision? That's going to be a problematic situation.

1020

I give credit to the member for Brant, because he's a straight speaker and I think his intent is certainly there. He recognizes that's going to be an issue. It's going to be an issue. It's something that we can maybe work out, but that's sort of standard language that you see with respect to non-profit agencies that deal with people who have developmental disabilities, are developmentally challenged. There is always that caveat. There is also that qualified right with respect to, when you do provide that particular treatment, you're not going to be sued. That's what is important.

I think what the member is trying to accomplish here is that we need provincial standards; we need provincial guidelines. We want to make sure everybody is on board. That's right, because this is a serious situation. I can tell you, from my own riding, the school boards that are there are doing that.

Then you take it to the next step, in terms of how we help that child in a situation where you can't get them to the hospital and you can't get the ambulance there, that's going to be a tricky situation, and the member's correct when he states that, in terms of how we're going to have to deal with that.

He says that the plan should ensure that school-teachers, staff and appropriate volunteers are trained to recognize the signs and symptoms of a reaction, and to fulfill emergency procedures that are specified. That's going to be the challenge. Certainly people are trained to deal with CPR and to deal with the obvious situation. That's the kind of training that I guess they're going to have to be able to administer in a situation where they're going to be able to save a life. That's what we're talking about here: saving a life. That's training that will have to be provided to be able to deal with that, like in CPR, where there is that training. It's a last resort. It's a situation where you're trying to keep the individual in a state where they're safe and protected until the professionals get there. I think that's where you're going to have to deal with this.

The member states in his backgrounder that in the instance of "an emergency ... staff would be permitted to administer medication without consent." That's going to be a problem. Any parent who has their child with that situation is going to raise the red flag and say, "Wait a second, you're not going to administer anything to my child without my consent." I think that's where there's going to be a problem. Because, as a parent, I'll be quite frank with you, I would never support that—never.

It goes on to say, "No action for damages resulting from administering medication would be permitted unless the damages were the result of gross negligence." I don't care what happened there. Bottom line is, they're going to require parental consent to deal with that child.



If you think you're going to get a piece of legislation through here without parental consent to deal with a child who has a disability, I think you're dreaming.

I could support this bill in principle, but there are going to have to be changes with respect to those consent provisions before I'm ever going to support something like this, because parental consent is going to be the key to this, and also consent and willingness from the school board officials who are being asked to go into an emergency situation.

I thank you, Mr Speaker, for the time to speak on this. I commend the member for Brant for at least in principle bringing forth something that his own government hasn't decided to bring forth at this time.

**Mrs Donna H. Cansfield (Etobicoke Centre):** I'm delighted to be able to stand up in support of the anaphylactic bill. I also would like to thank my colleague from Brant for pushing it. It's a good idea, regardless of whether it comes from a private member or from the government as a whole.

I believe that as a parent myself, if it came to life or death—guess what, I'd sign the consent form, because there is no alternative to death. This is a situation that is extraordinarily difficult for parents and for schools to resolve without some support.

There has been some work that has been done by Canadian school boards back in 1995, where they brought in the legal associations and the medical associations to fully look at this problem of anaphylactic shock in our schools.

There's no question that this is happening currently in some of the schools. The challenge, of course, is that it's hit and miss. It is not as thorough in some schools as it is in others. People also forget that within the Education Act there are two requirements: One is a safe environment for all children in order that they can in fact attend school; the other is that in a public school system, the school is open to all children, not just to some children, regardless of their disability. So I think that needs to be considered thoroughly when looking at this bill.

Also, in Ontario there is something called the Good Samaritan Act, which requires that you do not walk away from a situation in which somebody is endangered. You need to put all of this into context before you simply decide not to give support to this bill.

One of the greatest challenges we all have is that you can either have education or you can have ignorance. With ignorance, lack of education, our situations then put children in jeopardy. You need to be able to find processes, and ways and means to support them, in order that those processes can be put in place in a way that engages people so that they're educated, first of all, about what anaphylactic shock is, so they can understand just how serious it really is: that if a child has peanut butter in the lunchroom and forgets to wash their hands—and we all have children and know that doesn't happen after they use the facilities—and they go into a classroom, touch a desk and leave, and then a child with anaphylactic peanut shock touches that desk and then their mouth, they could

die. Some people cannot understand that happening. That's how serious this is, and yet they think that sounds impossible, just something that's not possible. It is possible. So our role is to enable that education process to happen in a way that not only engages the students in the particular student's classroom but also those parents and ultimately the school to understand the seriousness of anaphylactic shock and what we as a society can do to protect a child.

I can remember a particular instance when I was involved with this back in 1995. A parent phoned me, and we ended up on all the talk shows right across Canada. Her point was, "My child eats only peanut butter. I can send only peanut butter sandwiches to school." That was it. She wasn't moving from that position, even though in that school was a child who suffered from reaction to peanuts and would have gone into anaphylactic shock and it was as serious as death. Her position was, "Why should my child be jeopardized for this child?" My question back to her was, "Could you live with the death of the other child for the sake of your child?" Of course not.

How do we engage those people in that understanding? How do we provide the alternative: "Could you have the peanut butter and crackers after school to satisfy the need? What are the nutritional components of peanut butter that you could use as an alternative in school?"

We know if we teach the children, they teach their parents—happens all the time. So when you engage the children in a classroom to help and understand, then ultimately that's their peer and their friend, and they're not going to put them in jeopardy. So you can find ways and means, and that's what this bill can do. There are a number of processes out there that we can use; we don't have to reinvent the wheel. The legal aspects have been looked at thoroughly by the best legal minds in Canada. You have an Attorney General here who certainly can help the parents in Ontario. But better still, it enables and provides a framework for principals to work with in engaging that community in what this issue is and just how serious this issue is as well.

The consent form from every parent I've spoken with who has an anaphylactic child is not a problem. All they need to know is that they can send their child to school and that the child is safe; that in the event that something unforeseen occurs, there is a process in place whereby they can feel that their child will be either revived or put out of harm's way until 911 is called. My understanding as well is that even if you give an epi-pen, it's not as serious an issue as if you didn't give it when in fact the child was in anaphylactic shock. So it helps to build relationships in schools; it helps to put some stability school-to-school; and it can make a difference. I'm full-heartedly in support of this bill.

1030

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I rise to also speak to Bill 3, the Act to protect anaphylactic students, introduced by my colleague from Brant. Part of our purpose is to enable people to better



understand the nature and scope of some of these allergies that people run into, not only in schools, but in restaurants, supermarkets and corner stores. People are at risk of a wide range of allergic symptoms ranging from a scratchy throat, to hives, swelling, nausea, shock and sometimes, sadly, even death.

This proposed legislation, as we know, makes reference to the need for training and emergency procedures in our schools and the need for the administration of drugs. I do agree with the administration of drugs by students in some cases—senior students—teachers or secretaries.

I suggest that this bill be amended. This bill should be broadened in scope to deal with other ailments. I'm thinking of epilepsy, for example, something my family knows about. When a child has an epileptic seizure, the symptoms can be alleviated by medication. In many schools, someone in a responsible position can administer medication for a child suffering from epilepsy.

We are focusing on allergies, and I'll focus on nut allergies. I picked up a tea biscuit in the cafeteria this morning and there was a sign above the display case, "These products may have come in contact with, or may contain, nuts." Prevention is key, and a sign like that is an excellent way to continue to keep the word out.

One of my colleagues, on staff, can tell us a bit about his 35 years of personal experience with a peanut allergy. There are two serious dangers for children or adults who have these kind of allergies: first of all, the wide range of foods and food products that may contain nuts, or traces of nuts; secondly, the equally wide range of reactions that can accompany the ingestion of these products by someone who is allergic.

I'll use a couple of examples from just chatting with my colleague. Several years ago he related, going out for dinner with family and friends—for the rest of us it's really not an issue—he has to study the menu. There's a myriad of specialty foods and treats that potentially have danger.

One evening he went out on a limb and ordered a new tofu dish to go with his usual chicken balls and rice. He ate some of the tofu and noticed the strange but familiar feeling of scratchy throat, this awkward feeling. He checked again with the staff, and it turned out the tofu had been cooked in peanut oil. He was fortunate—nausea, was sick for awhile, and it subsided.

Five years earlier, it was a different situation. At university he ordered mushroom soup, the soup of the day. He had the same kind of feelings: swelling in his throat; he lost his voice. He had to write a note to another student, and they got him into the emergency hospital. This is the kind of issue that an adult is dealing with.

Where are we left with very young children who are not in the home with their parents but in a school setting, as the member from Brant is trying to impress on us today? What happens when it is a child with an allergy and the child doesn't know enough to protect himself—especially in the face of so many tasty, sweet treats? Again, my colleague has a number of incidents that

occurred to him when he was much younger as well. I think the intent of this legislation is certainly worthy.

**Mr Shafiq Qadri (Etobicoke North):** My honourable colleague the MPP from Brant, Mr Dave Levac, who has brought forth this bill, and my colleagues in the House, first of all I think it's a very important bill, not only to be proactive about the state of allergy readiness but also as a matter of education.

Speaker, with your permission, in order to contour my remarks, I'd like to offer some road signs, some guideposts to some of what I'm about to share with this chamber. I'd like to speak first of all under four or five broad headings: (1) the importance of this bill; (2) some commentary about anaphylaxis, and I speak not only as the representative of the great riding of Etobicoke North but also as a medical doctor; as well, some of the elements of this bill in terms of the avoidance of anaphylaxis and its treatment. But before I engage in those particular remarks I would, with your permission and indulgence, like to engage in a little bit of rebuttal to some of the earlier remarks.

First of all, with respect to the MPP for Haldimand-Norfolk-Brant, I believe his comments regarding the inclusion of epilepsy, while noble in intent, are probably really beyond the scope of what we're attempting to achieve here. I'd probably like to share some of the medical details with regard to the management, especially the acute emergency management, of epilepsy at a later date.

I'd also like to more aggressively deal with the comments from the MPP for Barrie-Simcoe-Bradford, attempting to, I think, with the tenor of his remarks, diminish the calibre of this private member's bill or the import in which the government holds it. I would like to state for the record that we have the full weight, support and imprimatur of the government of Ontario, and that is the new direction that our leader, the Premier of this province, has shared with all of his caucus members. Democracy has a new day and a new way—

*Interjection.*

**Mr Qadri:** And I would like to say, with respect, particularly to you, Mr Baird, as you're cackling in the front row, that this is a new day in Ontario.

Secondly, this is especially important as, just to share some particular—

**Mr John R. Baird (Nepean-Carleton):** Who wrote this speech?

**Mr Qadri:** This is coming from the heart, sir, in answer to your question of who wrote this.

Our Premier, for example, for this very specific reason, to illustrate the new day of democracy, has appointed every single member of our caucus to a cabinet committee. That's why we have perhaps the most boisterous caucus meetings in living memory, and whether we have responsibilities in this chamber, in committees or as parliamentary assistants, or to bring forth private members' bills, I would suggest to you that this is a great contradistinction to your own way of doing things.

To return to the bill, as I'm being directed by some of my colleagues, the importance is actually extreme. As a



doctor I can tell you, first of all, that “phylaxis” is the Greek word for “protection,” as in, for example, the word “prophylaxis.” “Anaphylaxis” means “without benefit of protection.” As a doctor I can tell you that these are in fact very serious, potentially life-threatening reactions.

As my honourable colleague MPP Dave Levac from Brant has highlighted, there are several hundred thousand Canadians who may be prone to developing anaphylactic, full-body reactions, whether they’re provoked by things like foods—whether it’s peanuts or peanut oils, shellfish or mushrooms—other things like insect stings or particular medications, and even, as he quite rightly pointed out, something as benign-sounding as exercise.

Again, as a physician, as someone who has dealt with anaphylaxis first hand on a regular basis in my practice and in emergency rooms and even, I would sadly say, in social settings, as has been rightly pointed out by this chamber, I can share with you that, whether it’s in, say, a restaurant or on a school field trip or in summer camps and even at swimming pools, with the chlorine exposure and so on, it affects multiple body systems; it affects particularly the respiratory tract, as well as the cardiovascular system. Basically, individuals may develop full-body hives, itching reactions and actually drop their blood pressure. So there are a number of issues that are really important with regard to this bill.

First of all, part of the intent is to educate the community that is associated with this bill, whether it’s the parents, the children themselves—the school community, broadly—to avoid unknown emergency situations. For example, the intention in this bill is to have individuals who may be prone to anaphylaxis actually wear MedicAlert bracelets, to also share with them beforehand that they may be prone to this so that all the various communities will understand what the various protocols are.

1040

Another thing that is brought up here is the idea of injectability. One of the things we doctors do is that we prescribe what we call epi-pens, or autoinjectors. It’s not as if the school coach or gym teacher is suddenly going to be injecting a syringe and drawing up a particular dosage at whim. These are self-administrable calibrated injections. That’s why I would like to support this bill and would strongly encourage all of us to. And to re-emphasize, it has the full weight and support of this government.

**Hon James J. Bradley (Minister of Tourism and Recreation):** As I did previously in this House, I will be supporting the bill from Mr David Levac, the member for Brant, because I think it’s good public policy, it’s one that’s overdue, and it recognizes that this is a challenge that has to be met across Ontario and not simply something that has to come from the grassroots in each of the communities.

I want to quote from a letter to the editor from Cindy Paskey, the president of NASK in St Catharines. I think it best captures what this legislation is about and why it is in need of our support. It reads as follows:

“I am writing to let your readers know NASK (Niagara Anaphylaxis Support and Knowledge) is spearheading an Ontario-wide campaign supporting passage of Brant Liberal MPP Dave Levac’s private member’s bill”—and that was Bill 19 at that time—“An Act to Protect Anaphylactic Students.

“Anaphylaxis is an allergic reaction that can be extremely swift and even life-threatening. There is no clinical way to predict the progression and severity of a reaction. A mild reaction one time may be followed by a severe reaction the next time.

“Briefly, Bill 19 would set consistent, province-wide standards regarding anaphylaxis in Ontario public and separate schools.

“Key elements are prevention and emergency strategies, communication with the school community, training, and waiver of liability except for instances of gross negligence. All of these are good reasons for the legislation to be passed.

“Notwithstanding, NASK has been told the Conservative government supported a ‘grassroots approach to managing such issues.’

“I understand this to mean parents working with the principals and parent/student councils of their schools.

“The result is parents across the province ... duplicating each other’s efforts. Duplication wastes valuable time and resources.

“A more productive focus would be prevention and cure of this increasingly common health care concern among children. This focus will not happen as long as the parents of these children are spending their precious time and emotional energy trying to ensure the very life safety of their children while at school.

“It takes practice, experience and support from others to harness deep emotions and become effective at advocating for the safety of your child’s life. I speak from seven years’ experience living with our son’s life-threatening allergies to tree nuts and peanuts.”

Cindy Paskey is right. She puts the need for this particular piece of legislation better than I could possibly put it in this Legislature. I call upon all members of the Legislature to support this legislation and to ensure that it goes to committee and that it ultimately becomes the law of the province of Ontario.

**The Acting Speaker:** Further debate? The member for Niagara Centre—

**Mr Peter Kormos (Niagara Centre):** Thank you, kindly, Speaker.

**The Acting Speaker:** —has up to five minutes.

**Mr Kormos:** I want to indicate—no, thanks.

**The Acting Speaker:** Further debate?

**Mr Gilles Bisson (Timmins-James Bay):** I want to quickly make a couple of comments on the bill. Generally, we support the bill and its concept. However, there are a couple of things that I think we’re going to have to have a discussion in committee about. One is the whole concept of absolving people from the ability to be sued for having administered medication. I understand what the member is trying to do. We’re trying to deal with

making sure that the medication can be applied in a case where a child is in a seizure. However, that's a pretty wide, gaping hole. I think that at committee we're going to need a little bit of advice from leg counsel and others about what that really means in practical sense.

In the first place, what the bill basically says by way of that clause is that a person could not be sued for having administered medication if a person has passed out. However, they could still be sued for gross negligence. That's a pretty wide, gaping hole, and I think anybody who has any kind of a legal background would understand that that in itself can be an interpretation for the courts that could mean a whole bunch of things as far as, if your intent really is to try to protect the person when administering medication. If I happen to be in the school as a teacher, a custodian, a secretary, whoever, and all of a sudden I see someone who has passed out and is having some kind of seizure, and I grab medication, how do I know what kind of medication I'm administering? I could be charged by a lawyer in defence of the other side, saying I was negligent in my use of the medication because I didn't read it properly. There's all that kind of stuff that comes up. So I will just say that I support what the member is doing and I'm going to vote for it, but obviously we're going to refer this bill out to committee, and I think we need to look at that particular issue.

The other thing we have to talk about when we get to committee—in fact, we may have to have a talk about it now, at second reading—is that if we're going to say to schools across this province that we're going to make sure they put in place a plan to deal with these kinds of situations—I think all of us here in the House agree—are we going to be financially supporting those schools and school boards to put those plans in place? What do I know, as a school principal or teacher or custodian or secretary, about what a plan is? Obviously, there's going to be some structure put to this, there are going to be some guidelines set around this, and you're going to have to administer a plan that's in keeping with the intent of the bill. It's going to take some money to be able to develop the plan in the first place and it's going to take some money for the school boards to be able to put this policy in place and train school staff when it comes to fulfilling the intent of this bill.

I'll just say that one of the things I would really like to hear from Mr Levac, the member from Brant, is what the intent is of the government vis-à-vis his bill. Has he had any discussion with the Premier or with the finance minister or the Minister of Education around making sure the school boards are funded? I would like to hear back on that. It's not contingent on my support. I just want to make sure that we don't put yet another burden on school boards and tell them, "We have the great ideas provincially. Now you've got to pay for it inside existing budgets." We know that the previous administration did that on a number of occasions when it came to issues, where they would pass some legislation here in the House and say, "Look how smart we are," and then

throw it to the municipality or the school board to say, "What the heck are we going to do to pay for this?" They had to follow the law. So I really need to know that the government is in fact going to deal with that particular issue.

Again, generally, I'm in support—that was my heart pacer going off. Don't worry. I have a pacer in my heart.

I would just say that we generally support what the bill is all about, but we need to deal with those two issues, as I said: (1) making sure the school boards are resourced, and (2) the gross negligence clause of this bill.

I also want to say, and it's a good opportunity to remind members by way of this debate, that there's another such bill in this House, in the name of the member from Nickel Belt, my colleague Shelley Martel, that has come to this Legislature at least twice, and that's the meningitis C bill. As you know, there was a young man by the name of Michael Maxwell in, I think, 2002, who died within about a day after being brought to the hospital with meningitis C. The whole idea is to make sure that the provincial health units across Ontario are given the resources to do the inoculations that are available to deal with this. As we know, that has been on the increase, and a number of young people have died from that. I would just remind people, as we vote in support of this bill, not to forget that there's another bill coming to this House that's very important as well, which the previous government did not support but the Liberal caucus did at the time. I look forward to the support of the Liberal caucus on Ms Martel's bill when it does come up.

**The Acting Speaker:** The member from Brant has two minutes to reply.

**Mr Levac:** I thank the honourable members from Barrie-Simcoe-Bradford, Etobicoke Centre, Haldimand-Norfolk-Brant, Etobicoke North, St Catharines and Timmins-James Bay for their participation and kind words, and in some cases ill-placed words, about this bill.

I want to start off by explaining very clearly to the member from Barrie-Simcoe-Bradford that there's a new way of democracy in this place. I also made it clear that this was not about politics; this is about saving a life. He has acknowledged that. Thank you. Stay on that premise and we're going to be doing fine for the people of Ontario, particularly the children. This isn't about partisan politics. This isn't about taking an opportunity to whack the government with your standard stuff you've been doing. Leave that for another time and place.

**1050**

This is time for private members' bills. Each and every one of us will have issues we want to bring to this place that have true meaning and effect on the lives of the people in Ontario. I've heard that from members from all sides, that it's time for us to bring this place into what it's been known for, and that is protecting, saving and helping the people of Ontario.

I want to say specifically to all of you that this is an important issue that goes well beyond partisan politics. I'm asking you to put that aside for a while and



understand clearly. I know there are issues with this bill. They will be going to committee. We will work out the details. I'm convinced that each and every one of us here wants to save those children's lives. If we don't, get out of here, because it's not the place to do this. Put those things aside. We're talking about the children of Ontario. We're talking about the kids who are being refused to go to school because they have anaphylaxis. That's not acceptable in the Ontario that I know. Let's get on with this and make it work.

## DEMOCRATIC RENEWAL

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** I move that, in the opinion of this House, the government of Ontario should live up to its campaign promise to "strengthen democracy" through "democratic renewal."

**The Acting Speaker (Mr Bruce Crozier):** Mr Murdoch has moved private member's resolution number 2. Pursuant to standing order 96, the member has 10 minutes for his presentation.

**Mr Murdoch:** First, I'd like to say a few quotes that have been around and bring them to the attention of the House.

"We will make our institutions more democratic by freeing your MPP to represent you...."

"We will create new lines of communication to make sure your voice is heard in government...."

"We will respect and draw on the talents and expertise of every elected representative, including opposition members."

You know where they were? They're from this book, *Government that Works for You: The Ontario Liberal Plan for a More Democratic Ontario*. We heard all through the election and since we got here about how this government is going to make it more democratic in this House. They're going to let members represent their riding rather than all the bills and all the orders coming out of the Premier's office. We want that to happen, but it doesn't seem to be happening that way right at this moment.

I want to tell you a little story about after the election. Right now, as you know, Christmas is coming, and there are a lot of Santa Claus parades. Mr Speaker, I'm sure you go in some of those parades also. In most of the towns, there are thousands of people lined up on the streets for Santa Claus—definitely not for us, but we may be in the parades.

*Interjection.*

**Mr Murdoch:** Maybe in St Catharines, but in other places I'm sure they're waiting for Santa Claus. Maybe the member for St Catharines is Santa Claus; we're not sure of that.

Half those people didn't vote in this election. We had only approximately 54% of the people in Ontario vote. Something's wrong with our system. Something's drastically wrong when we can only see where 54% of the people of Ontario voted. I know it varies from riding

to riding, but that was the average all over. Something is wrong.

Our Premier said that the people don't trust politicians to do what they said they were going to do. The Liberal platform even states, "People have lost faith in their politicians and their institutions of government." My question is, do the Liberals feel they've made it better or worse since they've come into power?

Well, they had a chance when they came into power—a big chance—to show that they meant what they said. Unfortunately, another promise has been broken—another promise that this government has broken. They had a chance to make this place more democratic.

In the past, we've had three parties represented in this assembly, and now we only have one official opposition. The government said that they would let them have more democracy. They were going to let the members be more democratic, let them bring the ideas from their ridings. But when one of the parties here had a chance to be recognized, no, that didn't happen. All of a sudden, all these promises we heard on the election trail, that we were going to do better and that this government will make sure that they get a chance to represent their people—what about the 15% of the people across Ontario that voiced their opinion and said that they would like to see the NDP represent them? All of a sudden when the chance comes up, this government says, "No; we're not going to let you do that." They could have easily done that. I think it's approximately 660,000 people who voted that way—15% who voted. Unfortunately, there should be more people voting.

To point that out, when I was on the campaign trail I was introduced to this couple in a business that was at the back of my campaign office. My wife knew them and she introduced them to me. I had mentioned, of course, as probably as most MPPs would, or most people running, "If you can support me in this election I'd certainly appreciate it." Well, they looked at me and said, "You know, we generally vote for the Green Party." I sort of smiled and said, "That's your business. If you want to do that, that's fine. But if you can support me I'd certainly appreciate it." They said, "We may not even vote." I said, "Why would that happen?" They said, "Our vote will never be heard. We'll never get a chance to have our vote to be heard in the Legislative Assembly, so we may not vote." They could have become part of that 46% of the people who didn't vote because they feel that this place doesn't represent democracy any more. There's a problem here.

There are many more quotes that we could go on with. It's in this paper that the Liberals put out—many, many more quotes in here that say, "We're going to fix this place up. We're going to make it more democratic." They had a chance to do that right at the start. What happened? This government said no, right off the bat. What a way to start this assembly off.

Since I've been here for the past 13 years, I have complained a lot about representative democracy, that we don't have that any more. This was a chance. This is a

new government. They had all kinds of new quotes. They were going to make this place so much better and they didn't do it. They let us down again. Do they not want the people out there to get some renewal so that they'll go out and vote?

We had the municipal elections—not much better. In my city of Owen Sound, only 40% of the people came out and voted. In one of the surrounding municipalities, 26% voted. Something's wrong. People are not believing in their elected people.

Again, as I go on to say, there are many, many quotes in here that they could have done something about.

They were going to talk about proportional representation. We haven't seen that. I admit that they have appointed a minister to look into this, but where has he been? We haven't heard a thing.

We can go back to the point: They had a chance to do something. The very first day we were in this House they had a chance to do that. And then what did this government do? They add insult to injury. They put the NDP at the far end and us at this end, and put a rump in the middle just to make sure that we don't have effective opposition. If this government wants to govern Ontario and govern it well, they need effective opposition over here. We know that. Look what's happened in Ottawa. The Liberals have run amok up in Ottawa. They just do what they want to do up there; they're not worried. The opposition has been splintered, and they've just run amok. This is what's going to happen with this government if they don't figure out that we need to have more democracy in this House.

This government has gotten arrogant and they've only been in for less than two weeks. Something needs to be done to have renewal and make sure that we, as representatives of our areas, have a chance to speak here. To do that, you need effective opposition. This government needs to recognize the NDP and fix the seating up in here the way it used to be. The rump should be at the far end, and then the NDP, and then we should be sitting here. We can at least work together to make sure that this government is effective when they bring their bills in. They need us to do a good job.

1100

Four years from now when an election comes, they will regret the decision they've made by not allowing the NDP to have their official status. This has been a sad day in this House. I'll be the first to say that the NDP can be a big pain when you're in government. We were there for eight years; we know what they can do. But they do bring that voice of over 15% of the people. If we look at the next election, if those 15% decide they're not going to vote, we're going to be down around 40%, less than 40%, of the people voting—something wrong. You have a member in your caucus, Mr Jean-Marc Lalonde, who goes to other countries to observe voting. He'll tell you some of the stories where people walk for miles and miles in their bare feet, and they get there and there are armed guards standing there. We don't want that in this country. This country is open and free, and we want

people to get out there and vote. That's what democracy is all about.

Then when the representatives get to this place, they need to be able to express their opinion without the leader's office or the Premier's office coming down on them, saying, "You don't have a right to say that. This isn't our policy." I've been here for 13 years, and there have been difficulties on all three sides. I sat through when the NDP was in government and their Premier ran everything from his office. We had troubles in ours. I'll be the first to admit the Premier's office certainly ran a lot of things when we were in government, and it didn't do us any good, and you see where we're sitting today. If this government over here is going to let the same thing happen, which looks like it's happening—I listen to the answers we get from the ministers when they're asked a simple question in the House, and they get up and talk about a bogus deficit. We're not even near the end of the year yet, and that's what their excuse is. Where does that answer come from? That comes from the Premier's office. Don't let the Premier's office run you people over there. I'm sure the member for St Catharines won't let that happen. We need some democratic renewal in this House.

**Mr John R. Baird (Nepean-Carleton):** On a point of order, Mr Speaker: It's my privilege to introduce George Sardelis, who is in the gallery, the great Conservative candidate in the riding of Toronto-Danforth.

**The Acting Speaker:** That's not a point of order, but we welcome visitors to the Legislature.

Further debate.

**Ms Caroline Di Cocco (Sarnia-Lambton):** First of all, I want to tell the member for Bruce-Grey-Owen Sound, who may not know this, that Dalton McGuinty, the Premier of this province, has actually appointed a minister responsible for democratic renewal. As you know, I'm the parliamentary assistant in that capacity. We had the political will, immediately upon being elected to government, to actually do something about it.

I find it interesting that the member for Bruce-Grey-Owen Sound does not recall the contempt that the Conservative Party had for democratic process when they took the budget and presented it outside this Legislature, which was a contempt of this Legislature and a contempt to every representative here who represents the public interest in this chamber. I would suggest that the member remember this.

I'd like to list to this House what we're going to proceed with to enhance democracy in Ontario. As you know, we're going to change the Audit Act, so we can better understand where the money is spent and how it's being spent with our funding partners.

We're also going to make public agencies like Hydro One covered by freedom of information. It was in 1997 that the Conservatives decided to put a blanket of secrecy over Ontario Hydro. What is democracy about? Democracy is about the right of the public to know, and this is one of the actions the government took in 1997. We're going to change that.



Banning of partisan advertising: That is what we're going to do. Why? Because it is not the best use of public dollars to spend them on self-promotional advertising. That's what the government has done to a great degree over the last eight years.

Another part is making sure that ministers are here in the House during question period. We're going to be bringing forward legislation to make sure that ministers attend question period.

As well, we are going to put in fixed election dates.

We are going to reach out to youth, because it's important that they understand they are an integral part in participating in our democratic process.

We're also going to have juries on election financing, because too many times the ones who have the most clout in policy are the ones who can make the largest contributions.

As well, we're going to move forward on actual voting reform.

It's very important that you have a government that has the political will to do these things, and we are going to do it.

We released the democratic renewal part of our platform over two years ago, because we believed it was an important part of changing how government does its work for the people. We have seen over eight years a closure, if you want, of our democratic process over and over again. We want to change that, because government is here to work for people, and we want to do that.

We will be looking at the standing orders, for instance, enhancing the role of the private member, potentially, meaning that we can actually agree on certain legislation. Members from the Conservative Party, along with members from the Liberals and the NDP, might be able to agree on something and we can actually present a bill as private members and coordinate the effort.

Certainly we agree the government is going to live up to its campaign promise; it has. We've already established a ministry for democratic renewal. I didn't see that happen in the eight years the Conservatives were in power. I know the member from Bruce-Grey-Owen Sound wants to make hay out of this, because he can go back to his constituency and say, "You know what? I really pushed for democratic renewal in the Legislature," when in fact his government has done exactly the opposite.

I say to the members in this House, yes, we are going to maintain our commitment for democratic renewal. We're going to act on it, and we're going to see that when we finish this four-year mandate, more people are going to get out and vote, because we will restore the confidence in why government is here.

**Mr Bob Delaney (Mississauga West):** On a point of order, Mr Speaker: We'd like to recognize the presence in the visitors' gallery of a group of grade 5 students from Divine Mercy Elementary School on Duncairn Drive in Mississauga and welcome their teacher, Pedro Tomas.

**The Acting Speaker:** That is not a point of order, but we welcome the students. Further debate.

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I also commend the member from Bruce-Grey-Owen Sound for bringing this—

*Interjection.*

**The Acting Speaker:** Order. Will the member from Niagara Centre refrain from speaking to the gallery.

**Mr Barrett:** I do commend the member from Bruce-Grey-Owen Sound for bringing forward this resolution on democratic renewal. As we've heard this morning, given the trail of broken promises that the Liberal government has left in its wake—and, again, after only two months—I join this call for the government of Ontario to live up to its campaign promise to strengthen democracy through democratic renewal.

On that note, I'd like to examine some precedents, both near and far, aimed at strengthening democracy through the power of people to recall their government members. This is a private member's bill I'll be introducing later in this session.

As we all know, "democracy" is derived from two Latin words. It means literally "government by the people." I can't think of a better way to ensure that this could be accomplished than to give people the power to remove their elected officials, not just at election time but any time the people feel a politician isn't living up to his promises or his requirements in the office.

To be sure, recall is not something to be taken lightly. I do believe that in a democratic society the electorate should have the right to hold elected officials accountable between elections.

1110

Of course, as we've heard recently, there's a good example of recall legislation in the state of California. They were given a chance to voice their opinions on the track record of then Governor Gray Davis through a recall vote. We all know the outcome. Here again, I stress it's serious business and not to be entered into lightly. That was certainly the case in the state of California. Recall has been a fundamental part the governmental system in that state since 1911. It applies to both state and local officials, and to ensure that recall is not abused in California, it requires that, to qualify for recall, proponents need a minimum of 12% of the votes cast for the office of governor on a referendum ballot. What would a ballot like that look like? There are two parts. On the first part, voters vote for or against the recall, and secondly the voters select the replacement candidate, and the replacement candidate's occupation and party affiliation are also included on the ballot.

A little closer to home, MP Ted White introduced a similar bill in the House of Commons in 1999, Bill C-269. It was introduced as "An Act to establish the right of electors to recall members of Parliament." Again, the purpose was to allow electors of an electoral district to vote in a recall election no later than three months after a petition asking for a recall vote is signed by at least 25% of the number of electors who voted in the previous

election for that electoral district. In MP White's bill, signatures may be collected during a period of 12 months after a proposal for a petition.

I present to you, Speaker, several examples of where other jurisdictions are strengthening democracy, and I look forward to the chance to debate this further in my recall legislation. I certainly join MPP Bill Murdoch in his call for this government to live up to its campaign promise to strengthen democracy through democratic renewal.

**Mr Ernie Parsons (Prince Edward-Hastings):** I'm pleased to speak to this resolution. It is very commendable for the member to bring it forward, but it's almost surreal that we're debating it, considering where it's coming from. This is something Monty Python would have written for a script. As I read it, what this member is saying is, in essence, their government, when they were in power, did so much damage that they're imploring us to try to undo some of the damage. It's also very clear to me that they really don't understand the magnitude of the damage that the previous government did to democracy in this province. They're looking for it to be fixed. We've sat eight days now, and they're looking for it to be fixed in eight days? Well, they took eight years to do the damage. It's going to take a little bit more than eight days to fix it, but it will be fixed.

Why it's going to take more than eight days—let's have a look at some of the things that were done to destroy democracy in this province. There are so many examples, but let's start with the budget. The budget was done in a private facility that banned the general public from coming. For as long as we've had democracy in this world, one of the key foundations was having a chamber where the public could come and view—we had some schoolchildren introduced a few minutes ago—and see it in action. They couldn't have attended this so-called pseudo-budget that was presented before. The consultation that went into that pretend budget was done by invitation only. Even the general public didn't have an opportunity. There was a complete lack of openness, and indeed, it now turns out that the budget and the numbers that were presented bore no relation to the actual reality, but I never heard the government. Now, the government is, in a sense—not in a sense; the government is owned by the people. The owners of this province, each and every citizen, was entitled to know the financial status of their province. That was kept from them. That is a blot on democracy in this province.

We have seen a history over eight years of omnibus bills, bills that included into one the spectrum of every possible act and amendment. One of the reasons for it, I believe, was to make sure that it was so large and so complicated that the general public could not find what was actually being done to change their province. That, again, was a major assault on democracy.

**Time allocation:** Time allocation was used on any bill, of any significance whatsoever, over the previous eight years. Absolute lack of consultation, no opportunity for people who had been elected in their ridings to voice their constituents' opinions.

We have seen over the last eight years a significant reduction in the number of bills that are being referred to committee, and we've seen the committees travel very, very little over the last eight years.

An example that particularly bothered me was when the Ontarians with Disabilities Act, for what it was worth, was rammed through the Legislature. Consultations took place over four days. Persons with disabilities were given about 24 hours' notice to apply and to be at the first consultation. I am proud, very proud, that over the last four years the Liberal caucus did their own consultations on the Ontarians with Disabilities Act and travelled the entire province.

When the issue of insurance started to rise and the previous government said, "We just don't want to deal with it," it was our member, George Smitherman, who travelled Ontario with other MPPs and with Dalton McGuinty to hear the advice and suggestions from everyone in the province. It is that important that we believe everyone should participate.

Now we find out, after the election—if the media is correct, and I believe they are because they're basing their information on conversations with members of the previous government—the Premier didn't even consult his own cabinet ministers, his own party, with decisions that were being made.

I applaud this resolution because there has been a great deal of damage done to democracy in this province. Thank you for highlighting what damage you have done, and yes, we will fix it.

**Mr Norm Miller (Parry Sound-Muskoka):** I'm very pleased to join in the debate this morning on the notice of motion put forward by the member from Bruce-Grey-Owen Sound: "That in the opinion of the House, the government of Ontario should live up to its campaign promise to 'strengthen democracy' through 'democratic renewal.'" I believe actions are greater than words, especially in the case of the current government, especially the way the government is breaking its promises.

This morning I had breakfast with the egg farmers. They're here promoting egg supply management and consumption of eggs. John O'Toole, Frank Klees and I had a kitchen table discussion with the farmers and their spouses. They asked the question, "Why do politicians promise one thing and then do another after the election?"

It's like the Liberals electricity price promise: They promised to maintain the price until 2006, then very quickly have broken that promise after being elected. Why do they promise one thing to get elected, and do something very different after they become the government? I very much believe this breeds cynicism amongst the voters. It causes people not to bother to vote. Is democratic renewal going to become another Liberal broken promise?

Actions are greater than words, especially in the case of this government. Let's look at the Speaker selection process. The first order of business for this new



Legislature, the selection of the Speaker. It's supposed to be—it is a secret ballot. I'd been lobbied by two prospective candidates, Liberal MPPs who wanted to be Speaker. Mike Brown sent me a letter stating his intention to want to be Speaker of this House. He'd been the Deputy Speaker, a very well-qualified candidate, I was considering supporting him. Alvin Curling gave me a phone call asking for my support.

What happened? Mike Brown declined his nomination to run for the position. Instead of an election, we had an acclamation. I suspect that what happened was the Premier decided who would be the Speaker and Mike Brown was told not to run for the position. This was one of the first actions of the new government. This is democratic renewal, Liberal style.

Another action demonstrated by the Liberal Party which is anything but democratic is their process of hand-picking candidates. The leader of the Liberal Party is able to hand-pick candidates to get around the normal nomination process, something I find unbelievable. I think in the case of this election they hand-picked at least four candidates, including, I believe, the member from Scarborough Centre. I find this very offensive. I'm just amazed that the Liberal Party would do this. Is this Liberal democratic renewal, denying the people of a riding their rightful choice?

What about the way the NDP has been treated by this government: Denial of the recognized party status, their seating position in the Legislature? The NDP received 15% of the vote in the last election. There are a lot of people who support their socialist principles. I'm not one of them, but I respect those who did vote NDP. I believe that those people's votes should count. If you want more participation in elections, then those people who believe in the Green Party or the NDP should feel their vote means something.

As I said, actions are greater than words, and so far the actions of this government have been anything but democratic. I support the notice of motion of the member for Bruce-Grey-Owen Sound and call on the government to start its democratic renewal process.

1120

**Mr Michael Prue (Beaches-East York):** I rise today in support of the motion made by the member for Bruce-Grey-Owen Sound. I rise in support of it not only because what he is saying is timely but also because we need to remind ourselves what this institution is supposed to do. We need to remind ourselves what we promised during the election and what we are in fact delivering in the first eight days of this Parliament.

I have here the document *Government that Works for You*. I hope some of the members remember what was said a scant couple of months ago out there on the streets of this province knocking door to door.

Reading from page 7, because I think this is the page that says it all and is the reason why the member for Bruce-Grey-Owen Sound felt compelled in the first action he has had available to him to put forward such a motion. It's entitled "Respect for your MPP." "We will

give your elected representative more power." With the greatest respect, in the first eight or 10 days of this Parliament, I have to tell you I do not have the same amount of power that I had sitting in the previous House, even under the Conservative administration. What have been taken are the stripped rights of myself and my party in this Legislature to stand up and to speak in this Legislature.

*Interjections.*

**Mr Prue:** Listen to this: "Elect more members." This is always the answer from the other side. They will not acknowledge that they have promised to deliver more democracy and in fact are delivering less democracy.

The next line: "Your MPP should be free to represent your views, not just parrot the views of his or her party." The first action of this government was to deny that we even had a party. It was only upon appeal to the Speaker that we were allowed to be called the party for which we were elected, for which we put our names on the ballot, for which we campaigned.

**Mr Peter Kormos (Niagara Centre):** And that was touch and go.

**Mr Prue:** And that was touch and go. The governing party has even tried to deny us this right by calling us throughout independent members. We are not independent members; we are New Democrats.

There is another election promise that you're not keeping: You said you were going to strengthen the ability of the MPP within the party. "We will scrap the changes the Harris-Eves government made to the standing orders of the Legislature that concentrated powers in the hands of spin doctors and advisors." You have scrapped any modicum of support for the NDP, any support we might have had within the committee system, any voice we might have had within this Legislature. You have introduced a draconian bill, which is still being debated in this House, an omnibus bill on closure. What you are trying to say is that we have no rights at all. You are trying to say that any time, at a whim, without the normal—

**Mr Richard Patten (Ottawa Centre):** It's not on a whim; it's rules your party supported.

**Mr Prue:** Come on, if you want to speak, stand up and speak later. You have nothing to say except to insult me.

**The Acting Speaker:** The member for Beaches-East York, make your comments through the Chair, please.

**Mr Prue:** I will address you, but I wish you would address him as well, Mr Speaker, with all respect.

The last and the laughable one: "We will bring a team approach to governing. We will respect and draw on the talents and expertise of every elected representative, including opposition members."

No one has asked for my expertise, no one has asked for my participation. Today, I went to committee, and as expected, I am treated as an independent member—as expected, and it comes as no surprise to me. I know what the rules of this place are if they're not to be changed. I have been told that I cannot be on the subcommittee. I

have been told that I cannot be substituted if I am not available. Those are the kinds of rules that are being used here, rules used flagrantly against democracy.

I and my party members are constantly referred to as independents; we are not. We are stuck over here in the corner, in a bifurcated rump, which I think is, with all respect to the Speaker, and I heard the Speaker's ruling, actually instigated by members of the governing party. We are awaiting some really fundamental changes, and we do not expect them to come in any hurry. But if this party is at all credible, if they intend to be at all credible, I want them to announce in very short order—because it doesn't cost a penny; you don't have to worry about the \$5 billion or the \$6 billion or the \$8 billion—when the election day is, because the people want to know that. We want to know when you are going to institute democratic reforms on proportional representation.

**Mr Peter Fonseca (Mississauga East):** On a point of order, Mr Speaker: I'd like to recognize the LINC program from the Dufferin-Peel Catholic District School Board. We have 50 new Canadians from the great riding of Mississauga East. I'd like to thank them for joining us here today in the House.

**The Acting Speaker:** That's not a point of order, but we welcome the visitors.

**Mr Patten:** I'd be happy to support this particular resolution. I find it somewhat ironic that this resolution comes from a member of the PC Party who probably contributed to this place being the worst Legislature in all of Canada in terms of the way in which it operates in the interest of being more businesslike, with business plans throughout the bureaucracy. Education has business plans, social development programs have business plans; it's very business oriented.

In the interests of efficiency and being more effective, that essentially undercut the opportunity for many members in this particular House to fully participate. Those rules will be changed; many of those will be reversed. There will be consultation. You will actually begin to see real consultation for the first time.

My democratic friend says that this government is not providing opportunities. They have seven members and yet they have more speaking time per member than the other two parties. They don't have the right, according to the rules, to sit on some of those committees. We've invited them to sit on the committees.

*Interjection.*

**Mr Patten:** We can never get you to shut up, that's for sure; we can never do that.

So when you look at the long list of approaches under democratic reform, many of you will be pleased because it will open up opportunities for people, it will help make government more transparent and more accountable. Just the Provincial Auditor's role, for example, expanding that to all government agencies; as it is now to the LCBO, it will be to Ontario Power Generation and Hydro One and the fiasco we saw there before. All of that will be transparent for the auditor to take a look at.

The advertising that was abused, these self-aggrandizing promotions that were sent out, which were nothing

more than campaigning and telling people how good the government of the day was, hundreds of millions of dollars, there will be a stop to that. We will have an independent authority that will take a look at that and approve promotions that will be done by government. That's a first. That is a very significant step.

**1130**

I was so concerned with some of the changes to the rules in this House that I wrote a paper. If anybody wants to read it, I would be happy to share it. I recall being quite disappointed when the rules of this House were changed. I'd like to read a couple of excerpts from my paper. I wrote at the time, and it's still the case now, and that's why change is imminent, "It's perhaps a measure of the well-being of our democracy that we rarely, if ever, think of it as being in any peril. But by and large, we think of the health of our democratic institutions as stable and solid, if nothing else."

"On the rare occasions that our thoughts do take a dark turn, we tend to imagine a loss of our democracy as a singular, cataclysmic event that would shake us to our foundations. But what happens if it starts to slowly slip away?"

We're talking about the way in which people do things and people don't pay attention, much as the media doesn't pay attention. You see what happens. I want to change that. Our government wants to change it, believe me. I'd like to say that most people are aware that there needs to be change.

I'd like to finish on this note: "Keeping democracy healthy is something that never happens naturally on its own. It must be nurtured and occasionally fought for. Sometimes democracy can seem to be a slow, burdensome exercise, without a doubt; it has frustrations. Be that as it may, there is a clear, indisputable responsibility for those holding office. Things may have to get done, yet they must get done while respecting the customs, institutions and conventions by which a healthy democracy lives and breathes."

With that sentiment, I'd be very happy to support the resolution from the member from Bruce-Grey-Owen Sound.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm pleased to join in the debate with respect to the resolution by the member from Bruce-Grey-Owen Sound.

In this particular area, there's a text of a speech from the Premier when he was Leader of the Opposition. He says: "By changing the way our democracy works, we can give the people a real say; we can make their vote count; we can reduce the influence of money on politics and we can take away power from the backroom people and ensure the people's elected representatives are more than just puppets for political parties."

There are a couple of areas I want to address that I think should be alarm bells with respect to what the commitments are with respect to this government.

First of all, I want to deal with the backrooms. One thing I haven't noticed any change in, in this democratic



renewal, is that standing order 106 deals with the government agencies committee and how it works. What it has in there is that these appointments aren't reviewable; they're only dealt with by the government; they don't come to the committee. What it says is that it excludes from review re-appointments and appointments for a term of one year or less. There's nothing in this democratic renewal that is dealing with that, and I think that's the backroom that the Premier was talking about.

The first case in point was the removal of David Johnson as the OMB chairman. They put in a temporary appointment that did not go through the committee at all because it's less than a year. How many more of these are we going to see from this government in terms of playing around with appointments, because they want to live by these rules? If they really believed in getting away from the backrooms, getting away from having the money people influence appointments, they would change that standing rule. I'm putting it out to them today. I throw out the challenge to that government that believes in democratic renewal, doesn't believe in backroom boys, to change that standing order so that any appointment goes through the government agencies committee. I can tell you that that's important for democracy, so that backroom boys don't rule, especially with the OMB, when they put a hand-picked person in there who's not subject to any review. So I say, review rule 106, show that you're committed to democratic renewal, get the backroom boys out of your appointments right now. We'll see if you do it. I put that challenge to you.

The second thing is in the throne speech from the Premier. He says in his throne speech, and I commend him for this: "I'm going to introduce legislation that there will be 11 ridings in the northern boundaries." That's not the same under the new federal legislation, where there are going to be nine boundaries in the north. He says there are going to be 11, and that's a good thing; the more northern members we have, the better. But the bottom line is, he's going to do that, which is contrary to the Federal Election Act, which we're now mandated to follow with respect to our riding distributions.

What is the Premier going to do with respect to the southern Ontario boundaries? That's a big challenge with respect to what he's committed to in the north. He's committed to the status quo in the north because we currently have 103 members, and 11 of them are from the north. What is he going to do with respect to the south? Is he going to be honest and say, "We're going to leave the status quo," or are we going to get into riding gerrymandering?

Members across the way, you should be very concerned about it because of all the powers in your Premier's office. You should be very concerned about what they're going to do with respect to the rest of the boundaries. What are they going to do with the remaining 92 boundaries? Are they going to create new ridings? Are they going to keep the status quo? You may end up seeing that you're going to have a situation where you're going to have to fight for your own riding because your

Premier unilaterally will just basically say, "We're going to redistribute. I'm going to increase the number of ridings in the south," or, "I'm going to maintain the status quo."

You don't have to be worried. You can go back to sleep like the way you are now and just say, "The status quo is going to be fine." Then you can go back to sleep. But don't be sleeping if he decides to fool around with the boundaries. You're going to find yourself in a situation where you may not have a riding. You may be fighting your neighbour with respect to that riding. That's a big change. I don't know what he's going to do with respect to bringing democracy and fairness so we know what's going on.

A supplement to that is what's in your platform with respect to referendums and how we vote. You say that right now we have a first-past-the-post system, where whichever candidate has the most votes wins a constituency, even if there's less than 50%. There may be a fairer way of doing things. We need a full, open public debate on voting reform. The public should decide on whether we need a new system, and if so, what the new system should be, through a binding referendum.

Along with riding reform—because that's what I think the Premier is looking at, is fooling around, with the ridings, after he sees what happens in the federal election—

**Hon James J. Bradley (Minister of Tourism and Recreation):** You're against the north.

**Mr Tascona:** I'm in favour of the north. I'm almost in the north in Barrie; you know that, member for St Catharines. I can tell you that what we're looking at is—look what happened in the election. Fifteen per cent of the people voted for the NDP, a recognized party on the ballot. They came back to the Legislature because they have seven seats, not the mandated eight, and now they have no status. But I'll say this, Speaker, and I think you would accept this view: Opposition is good for the government. It keeps them on their toes, it keeps them honest and keeps them accountable. That's all these people are asking for: that they have a voice.

Every four years we do review the standing orders. I'm saying, review the standing orders with respect to democratic representation here if you believe in democratic renewal, if you really believe an opposition is good for a government to keep them on their toes. So if you believe in democracy, if you believe in opposition, then I don't think you're going to have much trouble dealing with the standing orders with respect to the number of seats to give a representation with respect to how you do your appointments. It's important for them to change their appointment process if they want to be transparent and people want to know what's going on in the appointments process. They've got to get rid of that loophole with respect to less than one-year appointments and re-appointments, if they really believe in democratic renewal.

I support the member for Owen Sound because this is about time that we got to deal with this issue.

**Ms Marilyn Churley (Toronto-Danforth):** I want to thank the member for Bruce-Grey-Owen Sound for bringing this short but important resolution to the House today. You can say what you like about the member for Bruce-Grey-Owen Sound, and there's a lot to be said about the member for Bruce-Grey-Owen Sound—I can't say it all in five minutes. But one thing that we saw with that member, when he sat in the backbenches in the Tory government—he never made it into cabinet. He was a maverick. I didn't agree with many, many of his policies and positions—still don't—but if you just look at his record on democracy, he railed against his own government when they changed the rules to further diminish democracy and members' individual rights and opposition rights in this House. We should all applaud him for that because he had the guts, unlike other members in his party, to stand up and speak out against his own government when it was necessary to do so.

What the Liberals are promising to do is fiddle around the edges. There are lots of announcements about changing this, changing that—don't look so dismayed. That's what this is all about. What we need to do is change the system. Fiddling around the edges and pretending to fiddle around the edges is not going to fix an archaic system that no longer works for the people of Ontario. You've got a first-past-the-post system. That sets up a dictatorship in this Legislature.

*Interjections.*

**The Acting Speaker:** Order, and that includes those who are giving me advice.

1140

**Ms Churley:** That's what people have been seeing, not just with this government and the previous Tory government, but with the NDP government and the Peterson government before it, and with the election of each new government it gets worse. The power gets more and more entrenched in the Premier's office. I don't even blame the government; that's the system we have.

It becomes a dictatorship, and whoever is in power has the opportunity to change the rules if they're not getting their way, which is in fact what we just saw the Liberals do with an omnibus motion that is actually draconian, the worst we've seen in this place in terms of including five pieces of legislation in one motion—three bills and two motions—and enacting closure without talking to anybody in the New Democratic caucus; a deal worked out with the Tories in the back room. That is wrong, my friend, so don't stand up there and say, "We believe in democracy."

There is an old saying: "Where you stand depends on where you sit," and that's what we're seeing here. Whoever sits on that side of the House, from any party, stands changed dramatically when they get over there and thinks, "We're the government; we should be able to do whatever we want."

I want to debunk some of the myths. Dalton McGuinty said on day one, after New Democrats were reduced to seven seats but with an increase in the popular vote, "Hey, the rules are the rules; we can't keep changing the rules." At the same time, this is the same Premier who

promised to change the rules. At the first opportunity to demonstrate that he meant what he said, that this system is no longer working for democracy, for the people of Ontario—to say what happened when the Tories reduced the number of seats in this House from 130 to 103, they did not at the same time reduce the corresponding ratio, not only for the number you need for party status but also for a quorum in the House and members on a committee. None of that was done at the same time. We had an election with reduced numbers. The NDP came back with nine, I believe, at the time, and suddenly negotiations happened. The Clerk and the Speaker were not asked to come up with a fair number for all those; it was negotiated. It became a political football. Eight was plucked out of the air. David Christopherson and I were involved in those negotiations. We objected and said, "Let's take the average from across the country." For instance, in Ottawa, you only need 12 out of over 300 members.

The quorum was reduced here from 20 to 12, almost a 40% difference. It benefited the government of the day to have a huge reduction for a quorum. None of these numbers make any sense. They were plucked out of the air.

I would say to the government, it doesn't follow, it doesn't make any sense that the rules are already changed and we can't change them again. You can't be cherry-picking rules depending on whether or not it benefits your own party, which is what is happening in this case.

**Mr Gilles Bisson (Timmins-James Bay):** I want to congratulate the member from Bruce-Grey-Owen Sound for having raised this motion, because I think it raises a number of issues that are quite apart from what we experienced in the last election.

I just want to say, on that particular point, the member from Riverdale—

**Ms Churley:** Toronto-Danforth.

**Mr Bisson:** —it used to be Riverdale; it's now Toronto-Danforth—raises a really excellent point. On the one hand, we've got a Premier who says, "Rules are rules; that's the way this place has to operate," and then we listen to the Liberal backbenchers and some of the Liberal cabinet ministers whine when we use the rules. Quite frankly, it's a little bit difficult to take. If the Premier says, "Rules are rules," then why are you whining when we use the rules? I just think it's kind of an interesting point.

What really is galling is that the first chance the Premier has to come into this House and demonstrate there's going to be a breath of fresh air through this Legislature and he's going to live up to his campaign commitment to put more democracy in the Legislature, what is the first thing he does? He brings the mother of all time allocation motions into this House.

*Interjection.*

**Mr Bisson:** I can't say what mother; it's not parliamentary. But I would just say it's one heck of a time allocation motion.

What the government is now doing by way of the time allocation motion we debated two evenings ago, and



quite possibly that we'll debate some time today or in the next few days, is to say, "The standing orders? Throw them aside." There are only four ways to end debate in this Legislature, as there is across this country in all the Legislatures and in the federal House. One is that no member wishes to debate any more, which ends debate. The other way to do that is basically by way of somebody putting the question. In other words, under standing order 47, it's basically a closure motion where an individual member gets up and says, "I move that the question now be put." But that allows for at least four or five days of debate, I would argue, and probably more. The only other way to close debate in this House is by standing order 46, which says you have to have three days of debate before the government can even contemplate bringing in a time allocation motion.

Now, I sat in opposition and the member from St Catharines and other members of this government who are now whining about us using the rules used to sit on this side of the House when the government introduced how many time allocation motions? Sixty or 100 or whatever the number was. Each and every time the government would introduce a time allocation motion, the now-government was up on their feet and they would be whining—squealing is the right word—against the Tories, and rightfully so, because the Tories were trying to reduce debate in this House.

So what's the first thing this government does when it has a chance to show Ontarians that there is true democracy in the Legislature of Ontario and that Dalton McGuinty is living up to his campaign commitment? They break that promise. Another promise made, another promise broken. What you're going to do by way of your motion—your huge time allocation motion that you have in here—is to basically say we no longer have rules in this House. By fiat, the majority of members in this House can basically decide to stifle the opposition.

I just want to put this proposal to you: We have a Charter of Rights in this country, and we understand that the basic right within the Charter of Rights is to protect the minority, because we have said in this country that those people in a minority have to be heard and have to be protected from the tyranny of the majority. Can you imagine if one Premier in this province, or a Prime Minister, was to say, "I want to make a change to the Human Rights Code, because those protestors are such a pain. We don't want to hear them any more. They're using the rules. So we the majority of Ontarians and Canadians will, by fiat because we're the majority, suppress the rights of the minority." This country would go wild, because we accept basic, fundamental human rights and we have enshrined that within the Charter of Rights of this country.

What this government is doing is analogous to us making an amendment to the Charter of Rights that says minorities don't have a say in this country and don't have to be heard and don't have to be respected.

*Interjection.*

**Mr Bisson:** That's exactly what this is. Can you imagine if the government was to change the Charter of

Rights to say, "We don't have to listen to the minority"? That's exactly what you're doing by your time allocation motion. You're saying, "We suspend the rules of this Legislature. We will no longer take into account whatever little rules we have in this House to give individual members the right to debate. We will take that away, and because we're the majority—and the Tories, who are in the pockets of the Liberals, because they did the same thing when they were in government when it came to time allocation, say, "Because we're the majority, we're smarter, we're better and we don't have to listen to independent members." I just say that you will rue the day you pass this motion and you go down that road, because we will all have to live, unfortunately, with what you're setting up by way of precedent. It's not only a broken promise; you should be ashamed of yourselves.

**The Acting Speaker:** The member from Bruce-Grey-Owen Sound has two minutes to reply.

**Mr Murdoch:** I appreciate all the debate we've had here tonight—or this morning, I guess; we're not here at night—and I want to thank the members from Sarnia-Lambton, Haldimand-Norfolk-Brant, Parry Sound-Muskoka, Barrie-Simcoe-Bradford, Prince Edward-Hastings, Beaches-East York, Ottawa Centre, Toronto-Danforth and Timmins-James Bay. We had a number of speakers here, and it's good for debate.

Something I want to remind the government of on the other side: They mentioned that it was ironic that a Conservative would bring this motion up. Well, I think it's rather ironic that they would say it was me who brought it up, because in the past eight years, I have complained about democracy in this House. If they had listened to me, I think they would have known about that.

They are the government now. Quit whining and complaining about what we've done over here. Look where we're sitting. We didn't have good opposition and we ended up over here. Now you people need good opposition, or you're going to end up back over here. Now you people need good opposition or you're going to end up back over here, so you'd better start to listen. It's nice to have all those ideas that you have and all the promises your Premier has made, a lot of promises. The member from Sarnia-Lambton brought them up. Now you have to live up to them.

But here's the problem. You broke the promise right at the start. Sure, you've only had eight days and you mentioned that, but in eight days you've broken a whole lot of promises. This is the problem. How do we trust you over here? You had a chance to bring democracy to this House. You had a chance to recognize the New Democratic Party and you didn't do it. So how do we believe you?

I'm telling you, just like I said to you, we're over here now. We made mistakes; yes, we did. The problem is that we didn't have any good opposition and we ended up over here. If you don't create good opposition, you're going to end up over here in four years, and that'll be your fault and your own misgivings.

**The Acting Speaker:** There being no further debate, pursuant to standing order 96(e), proceedings are suspended until 12 noon.

*The House recessed from 1151 to 1200.*

## ANAPHYLACTIC STUDENTS PROTECTION ACT, 2003

### LOI DE 2003 SUR LA PROTECTION DES ÉLÈVES ANAPHYLACTIQUES

**The Acting Speaker (Mr Bruce Crozier):** Mr Levac has moved second reading of Bill number 3, An Act to protect anaphylactic students.

All those in favour of the motion, please say "aye."

All those opposed will please say "nay."

I declare the motion carried.

Pursuant to standing order 95(j), the bill is referred to committee of the whole.

**Mr Dave Levac (Brant):** On a point of order, Mr Speaker: I seek that the bill be sent to the standing committee on general government.

**The Acting Speaker:** Shall this bill be sent to the standing committee on general government? It shall be sent to the standing committee on general government.

## DEMOCRATIC RENEWAL

**The Acting Speaker (Mr Bruce Crozier):** Mr Murdoch has moved motion number 2.

All those in favour of the motion, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

There being no further private members' business, I declare the House adjourned until 1:30 of the clock.

*The House recessed from 1202 to 1330.*

## MEMBERS' STATEMENTS

### EDUCATION TAX CREDIT

**Mr Jim Flaherty (Whitby-Ajax):** I'd like to speak briefly about the Liberal government plans to cancel the equity in education tax credit. Apparently this government is hostile to the notion that parents should have the right to choose where their child can best be educated. I wonder why that is. It's certainly not about the money. The government is making funding announcements in education, as they did yesterday.

This government falsely claims that the EETC drains money from the publicly funded school system and only benefits the wealthy. An article in the *Globe and Mail* today reasserts that only 5% of Ontario's independent schools can be considered elite. The overwhelming majority of them meet specific needs, diverse needs: religious needs, linguistic needs, developmental needs that are not addressed adequately in the public school

system. There are over 850 independent schools in Ontario, and two thirds of the children that attend these schools come from low to modest levels of income. There's a tuition eligibility cap of \$7,000 in the EETC. In fact, most Canadians have the benefit of a tax credit or a tax support for independent schools, and that includes Canadians living in British Columbia, Alberta, Manitoba, Saskatchewan, and Quebec, and so far, in the province of Ontario.

I urge the members opposite to reconsider their discriminatory repeal of the equity in education tax credit.

### RUN FOR OVARIAN CANCER

**Ms Deborah Matthews (London North Centre):** A small group of dedicated people in London have done something quite remarkable. Today I rise to celebrate that accomplishment. This group was inspired by a vibrant Irish Canadian named Ann Crowley from my riding of London North Centre. Ann was a real character, full of energy and life. Her friends at the Waltzing Weasel can attest to that.

In August 2002, Ann was diagnosed with stage three ovarian cancer. Rather than simply accepting her diagnosis and pursuing her own cancer treatment regime, Ann launched a fundraising and public awareness campaign. The vehicle would be a run for ovarian cancer and the goal would be raise \$5,000 to \$10,000. Many told her it couldn't be done, but she recruited other women, like Elaine Pensa and Nancy Ford, who are also fighting a personal battle with ovarian cancer. She recruited friends like Michelle Kerr, Tony Malloy and Val Morgan. Dr Akira Sugimoto, the London Health Sciences Foundation and countless others joined in.

Ovarian cancer is known as the whispering disease because the symptoms—Abdominal pain or bloating, gas, change in bowel habits, backaches or indigestion—are so easy to ignore, especially for middle-aged women. Too many ignore the symptoms until it is too late.

On May 5, 2003, despite rounds of chemotherapy and sickness from the disease, Ann Crowley showed up at the park and was met by 500 runners. I was one of them. We raised \$93,000.

Ann Crowley passed away on July 5. Her team continues in her spirit and is currently working on next year's run. I know all members join me in congratulating this extraordinary group of people.

### UNIVERSITY OF ONTARIO INSTITUTE OF TECHNOLOGY

**Mr John O'Toole (Durham):** I rise to pay tribute to Canada's newest university in my riding of Durham. I was pleased to join the founding president with the dream, Gary Polonsky; elected officials, including MPPs Jim Flaherty, Jerry Ouellette and Janet Ecker; students, staff and leaders in the community to celebrate the first day of school at UOIT.



The University of Ontario Institute of Technology has welcomed its first class of approximately 1,000 students. Enrolment is expected to increase to 6,000. Indeed, the work underway on a 160-hectare site at the Durham College/UOIT campus is the largest construction project in Ontario.

UOIT offers nine undergraduate programs, some of which are unique to Canada. Areas of study include science, engineering, nursing, business, teacher education and justice studies. In keeping with the needs of the 21st century, our university offers career-focused learning and is fully accessible to laptop computer technology anywhere on campus. Of particular interest to the energy sector in our community is the school of engineering and nuclear science.

I would like to recognize the past chair, Bob Strickert; Garry Cubitt, current chair of the board of governors; Vice-Chair Lorraine Sunstrum-Mann; and all the board members for bringing this university to conclusion. Most of all, congratulations to the faculty and staff, such as Ken Swan, who is president of the student association at UOIT and Durham College. To all of our leaders and pioneers in the 21st century of education, congratulations.

#### PROPERTY TAXATION

**Mr Mario Sergio (York West):** It's that time of the year when property owners are receiving their new assessments. Of course, as usual, our constituency office is flooded with concerns about their 2004 assessment notices. Some concerns are legitimate, especially when homeowners see their assessment going up by tens of thousands of dollars, but many other concerns are created when some councillors refer them to the MPP's office, blaming the provincial government for their increase in assessment.

For the benefit of our constituents, there are two roles that we should be making crystal clear when it comes to the assessment of residential properties. We believe that we find the answer right in the memo sent from the finance department that says:

"What role does the government play in determining assessment?"

"The province establishes assessment policies to legislation and regulations only. For example, provincial legislation states that properties must be assessed at their current value.

"Who is responsible for assessing the property?"

"It's a municipal organization called, in short, MPAC, which is administered by the local municipalities and they are responsible for assessing residential properties."

I believe the passing of more information makes for better-informed taxpayers and better-informed constituents.

#### TRANSPORTATION PLANNING

**Mr Tim Hudak (Erie-Lincoln):** I am pleased to rise in the House today to discuss the importance of the mid-

peninsula corridor highway. This will probably be the most important investment in a generation for the folks of the Niagara Peninsula, particularly those in southern and western Niagara. It stands to be a major artery of investment for trade and for tourism, creating jobs from the Niagara River to the Grand River.

We were prepared as a government. Under Premier Eves, Transportation Minister Klees moved the next step to get that highway moving, to build it, to take advantage of those investments and those jobs. I thought during the campaign that the local Erie-Lincoln candidate, Vance Badawey, also seemed to agree when he stated that we have to look at getting the second highway, the mid-peninsula corridor, built immediately.

However, they said one thing during the election; now they're saying another while in government. I was disturbed by the Minister of Transportation's remarks earlier this week in question period when he said he was going to go back to square one, the full environmental assessment, which, as I understand, involves a needs assessment. They're trying to determine whether they even need the highway to begin with. In fact, some of their Hamilton area candidates even mused about that during the campaign.

The need is clear. The need has been demonstrated. The need has been proven. It is time to move ahead with the mid-peninsula corridor, to get that highway built, to bring the jobs to southern and western Niagara. I call upon the Minister of Transportation to move forward with the mid-peninsula corridor expeditiously and also to meet with our new regional chair Peter Partington, and a delegation of councillors from Niagara to discuss next steps to get that corridor going.

1340

#### ROGER NEILSON

**Mr Jeff Leal (Peterborough):** I would like to pay tribute to a true Canadian hero, Roger Neilson, who passed away at the age of 69 last June after a courageous battle with cancer.

Roger lived in my riding, just north of the city of Peterborough in Bridgenorth. His dedication to hockey and those learning the sport is unsurpassed. In his 35-year career he coached more NHL teams than any other coach in history. Locally, in nearby Lindsay, he ran a hockey camp and coaching clinic, which is now in its 27th year.

Last year, Roger's hard work was recognized when he was inducted into the Hockey Hall of Fame and received the Order of Canada. In June, the Ottawa Senators, where Roger was an assistant coach, announced they would honour his memory by building Roger's House. The facility will be constructed at the Children's Hospital of Eastern Ontario to provide pediatric palliative care and help the families of those children battling cancer.

His contribution has also been recognized in the community of Peterborough. A city street has been named Roger Neilson Way. The street runs past the Memorial

Centre, where he coached the OHA Junior A Peterborough Petes for 10 years, from 1966 to 1976. The Senators, the Petes and the OHA provincial Junior A Lindsay Muskies, a team Roger owned, are wearing commemorative patches on their sweaters this hockey season.

Just last week it was announced that the Kawartha Pine Ridge District School Board would name a new school in Peterborough's south end after him. Roger Neilson Public School is scheduled to open in September 2004.

Roger was well known as a warm-hearted, generous spirit who supported many charities. I hope the community of Peterborough will always remember his contributions and carry on his legacy.

### TAXATION

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** Next Wednesday, December 10, a number of Ontarians will be visiting Queen's Park to tell the Liberal government that they do not appreciate the Liberal U-turn on their election promises. Tax Freedom Day in Ontario is already June 29.

The people of Barrie-Simcoe-Bradford and all Ontarians are working one half of the year to feed the beast of government, whether it is federal, provincial or municipal. So 50% of our workday is used to pay the government. Put simply, the government is taking half of our annual income, even before we can start to put food on our table, pay our rent or mortgage, or before we can begin to pay off our credit cards and debts.

In the recent election campaign, the Liberals claimed that they will protect hard-working tax payers. But what have they done since the election? They have broken their promise. They have given Ontarians the largest tax-hike in a single day, and they did so without any shame. Liberals believe we should all be working for the government and we should be working into each July for the benefits of government. This is unacceptable.

That is why hard-working, law-abiding taxpayers will be coming to Queen's Park next Wednesday to tell this government that they cannot afford higher taxes and reckless spending. Ontarians cannot afford higher debt and more broken promises.

On behalf of the PC caucus, I would like to take this opportunity to invite all Ontarians who are watching at home to come to Queen's Park next Wednesday at noon to tell Dalton McGuinty to stop raising taxes and breaking promises.

### UKRAINIAN GENOCIDE

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** It is an honour as a member of provincial Parliament to stand before this Legislature and take a moment to acknowledge and recognize the famine-genocide that occurred in Ukraine in 1933.

To date, the exact number of victims of the famine is not known. What we do know is that more than seven million Ukrainian men, women and children were starved to death by the occupying Soviet regime from 1932 to 1933—an appalling event that was hidden from the outside world for generations.

It is only by acknowledging the reality of such a horrific occurrence that we can together work to ensure that such a tragedy does not again repeat itself in our lifetime or in generations to come.

This year, the month of November was set aside by the Ukrainian community to commemorate the 70th anniversary of the famine-genocide through a series of concerts, lectures, visiting teachers and something that was undoubtedly heart wrenching, the testimony of remaining survivors.

I urge you to join me in supporting and acknowledging the Ukrainian community and, in particular, the Ukrainian Canadian Congress Toronto branch's famine-genocide committee's efforts to increase public awareness about the famine-genocide. Their continued work to include the teaching about this terrible tragedy in our schools and their work toward ensuring our youth are aware of the millions of lives lost in the famine-genocide is critical to the prevention of its repetition.

### CABINET MINISTERS

**Mr Robert W. Runciman (Leeds-Grenville):** I rise to express concern related to Premier McGuinty's failure to have his cabinet appropriately represent the various areas of the province and, in so doing, his failure to recognize the long service of many of his loyal and hard-working caucus members.

Instead of appointing members such as Hamilton's Dominic Agostino, Essex's Bruce Crozier, Thunder Bay's Mike Gravelle or eastern Ontario's Richard Patten and one of his longest serving members, Jean-Marc Lalonde, Mr McGuinty turned his back on these long-serving members and instead opted to have almost 50% of his cabinet come from the Toronto area. This is wrong.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. I'd like to hear your list, sir.

**Mr Runciman:** If you had not been in the chair, Speaker, I'm sure you'd be a member of the cabinet.

In any event, this is wrong-headed, and we are already seeing decisions in agriculture, environment, education and elsewhere affected by this Toronto bias at the expense of underrepresented areas, especially small-town and rural Ontario.

### LIBERAL CAMPAIGN PROMISES

**Mr Michael Prue (Beaches-East York):** I think a lot of people in this province woke up this morning to quite a pleasant surprise. They opened the door and must have been shocked when they picked up their morning newspaper. Right on the front page they saw a politician



who keeps his promise. The new mayor of Toronto, David Miller, has kept his promise. During the recent municipal election, he promised to stop the Toronto Island airport bridge, and yesterday he kept that promise. When asked why he did it, the quote was very simple: "I've done exactly what I said I would do."

Imagine that, politicians keeping their promises. That must come as a huge shock to the McGuinty Liberals, because you know they don't believe in keeping their promises. Look at their sorry track record: they broke their promise to protect the Oak Ridges moraine—promise broken; they broke their promise to cap hydro rates—promise broken; they broke their promise to stop P3 hospitals—promise broken; they broke their promise of an inquiry into the Aylmer meat scandal—promise broken; they broke their promise to give money to reinvest in health and education, and now they're talking about a \$4-billion shortfall—promise broken. I say to the new government, learn a lesson from mayor Miller. Clean up your act and quit breaking your promises.

#### VISITORS

**Mr Mike Colle (Eglinton-Lawrence):** On a point of order, Mr Speaker: Today in the east gallery we have my aunt, Italia Berardinetti, and my uncle, Antonio Berardinetti, who are the parents of the newly elected member for Scarborough Southwest, Lorenzo Berardinetti. I'd like to welcome them to the House.

Today my uncle marks his 50th year of arriving in Canada at the famous pier 21 in Halifax. Fifty years ago today, he arrived at pier 21 with so many other great Canadians.

**Mr Kim Craitor (Niagara Falls):** On a point of order, Mr Speaker: I'd like to recognize some brothers who have joined us in the House today from the Teamsters Canada union: Jim Chalmers, John McCann and Brian Smith. Welcome to the House, and I hope you enjoy your stay.

#### INTRODUCTION OF BILLS

##### ONTARIANS WITH DISABILITIES AMENDMENT ACT, 2003

##### LOI DE 2003 MODIFIANT LA LOI SUR LES PERSONNES HANDICAPÉES DE L'ONTARIO

Mr Jackson moved first reading of the following bill:

Bill 12, An Act to amend the Ontarians with Disabilities Act, 2001 / Projet de loi 12, Loi modifiant la Loi de 2001 sur les personnes handicapées de l'Ontario.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Cameron Jackson (Burlington):** This bill amends the Ontarians with Disabilities Act, 2001, to re-

quire that a municipality that operates public buses for transit purposes and did not operate them before this amendment comes into effect shall ensure that all of these new buses that they acquire will be accessible for persons with disabilities.

##### MACDONALD-CARTIER FREEWAY ACT, 2003

##### LOI DE 2003 SUR L'AUTOROUTE MACDONALD-CARTIER

Mr Lalonde moved first reading of the following bill:

Bill 13, An Act to amend the Public Transportation and Highway Improvement Act to officially recognize Highway 401 as the Macdonald-Cartier Freeway / Projet de loi 13, Loi modifiant la Loi sur l'aménagement des voies publiques et des transports en commun afin de reconnaître officiellement l'autoroute Macdonald-Cartier.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

Those against, say "nay."

I think the ayes have got it.

Call in the members. There will be a five-minute bell.

*The division bells rang from 1352 to 1357.*

**The Speaker:** All those in favour, please rise.

#### Ayes

Agostino, Dominic	Flaherty, Jim	O'Toole, John
Arnott, Ted	Flynn, Kevin Daniel	Ouellette, Jerry J.
Arthurs, Wayne	Fonseca, Peter	Parsons, Ernie
Baird, John R.	Gerretsen, John	Peters, Steve
Barrett, Toby	Gravelle, Michael	Peterson, Tim
Bartolucci, Rick	Hardeman, Ernie	Phillips, Gerry
Bentley, Christopher	Hoy, Pat	Prue, Michael
Berardinetti, Lorenzo	Hudak, Tim	Pupatello, Sandra
Bisson, Gilles	Jackson, Cameron	Qadri, Shafiq
Bountrogianni, Marie	Jeffrey, Linda	Ramal, Khalil
Bradley, James J.	Klees, Frank	Rinaldi, Lou
Broten, Laurel C.	Kormos, Peter	Runciman, Robert W.
Bryant, Michael	Kwintner, Monte	Ruprecht, Tony
Cansfield, Donna H.	Lalonde, Jean-Marc	Sandals, Liz
Caplan, David	Leal, Jeff	Scott, Laurie
Chambers, Mary Anne V.	Levac, Dave	Sergio, Mario
Churley, Marilyn	Marchese, Rosario	Smitherman, George
Colle, Mike	Marsales, Judy	Sorbara, Greg
Cordiano, Joseph	Martel, Shelley	Tascona, Joseph N.
Craitor, Kim	Matthews, Deborah	Watson, Jim
Crozier, Bruce	McMeekin, Ted	Wilkinson, John
Delaney, Bob	Meilleur, Madeleine	Witmer, Elizabeth
Dhillon, Vic	Miller, Norm	Wong, Tony C.
Dombrowsky, Leona	Milloy, John	Wynne, Kathleen O.
Duguid, Brad	Mitchell, Carol	Zimmer, David
Duncan, Dwight	Munro, Julia	
Dunlop, Garfield	Murdoch, Bill	

**The Speaker:** All those opposed?

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 79; the nays are 0.

**The Speaker:** I declare the motion carried.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** On a point of order, Mr Speaker: I seek unanimous consent for second and third reading of the bill.

**The Speaker:** Is it the pleasure of the House? I heard a no.

# ADOPTION DISCLOSURE STATUTE LAW AMENDMENT ACT, 2003

## LOI DE 2003 MODIFIANT DES LOIS EN CE QUI CONCERNE LA DIVULGATION DE RENSEIGNEMENTS SUR LES ADOPTIONS

Ms Churley moved first reading of the following bill:

Bill 14, An Act to amend the Vital Statistics Act and the Child and Family Services Act in respect of adoption disclosure / Projet de loi 14, Loi modifiant la Loi sur les statistiques de l'état civil et la Loi sur les services à l'enfance et à la famille en ce qui concerne la divulgation de renseignements sur les adoptions.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Ms Marilyn Churley (Toronto-Danforth):** For new members here, you will think that this really is the first time I've introduced this bill; it's actually the fifth time. It's in fact way past time for it to be passed.

What the bill does is amend the Vital Statistics Act to give adult adopted persons unqualified rights of access to their own original birth registration and to give corresponding rights to birth parents. The bill takes into account concerns raised by members in this House and includes a contact veto. It also makes counselling no longer mandatory but voluntary. It requires the government to provide it on request.

This bill or similar bills have been passed in jurisdictions all over the world. It is way past due here in Ontario. I want to give all the new members an opportunity to read this bill and catch up on the issues. Hopefully, we can debate it soon and pass it. By the way, it has gone out to committee hearings before.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### PICKERING NUCLEAR GENERATING STATION

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** Moments ago I tabled a report in this assembly that I received from the Honourable Jake Epp. The report focuses on the return to service of the Pickering A nuclear facility. The contents of this report are, in the words of its authors, alarming. They point to mismanagement of one of Ontario's most important energy assets, Ontario Power Generation, and specifically a very crucial and expensive nuclear project, the refurbishment of Pickering A.

Before I get into the details of the report, I want to extend a sincere thank you on behalf of the McGuinty government to the three members of the panel responsible for this submission. They are the Honourable Jake Epp, Mr Peter Barnes and Dr Robin Jeffrey. All three men should be congratulated on their diligence and

thoroughness in detailing the many complex issues associated with the Pickering A return-to-service project and for the excellence they have shown in compiling this report. Since June 2003, when the panel's work began, they have reviewed countless documents, spent hundreds of hours in working sessions and met with numerous stakeholders to ensure the accuracy of the report.

In 1999, the board of directors of OPG, under the watch of the previous government, decided to proceed with the restart of all four units at Pickering A. The board estimated that the total cost of the project would be \$1.1 billion and that all four units would be operational by December 2002. It has been nearly five years, and only one of the units, unit 4, is working. Restarting unit 4 alone cost \$1.25 billion, nearly triple the board's original estimate for that unit and considerably more than the estimate for all four units combined. Finishing the rest of the project would cost billions of dollars more and could take as long as five more years. This is an affront to the people of Ontario, whom we've been elected to serve and whose interests we are duty-bound to protect.

But why did this happen? How could the government of the day allow this mismanagement on the part of OPG, Ontario's most valuable and important energy asset? It's simple: They sat back and they did virtually nothing about it.

The report states that as a result of the costs and delays of the project, faith has been compromised in the affordability and certainty of the supply of electricity vital to citizens and businesses in this province. The board, shareholder and senior management team failed to exercise proper oversight over the project's economics and execution.

As a result, the delay in the return to service of Pickering A has adversely affected Ontario's electricity sector and unnecessarily pushed up prices for residential and business consumers.

Coupled with the recent auditor's report, this report makes it clearer than ever that the previous government failed to look out for the well-being of Ontarians.

Apart from the former government, the board and senior management of OPG must be held accountable for their management of a project that has resulted in alarming cost overruns and inexcusable delays. The report I have tabled states that from the outset, OPG's board and senior management failed to recognize the full scope and complexity of the project and that management of the project from its inception was seriously flawed. As a result, estimates of project costs and completion dates were consistently unreliable and unrealistic. Cost estimates were changed 11 times and completion date targets were changed 13 times.

And even today, after years of consultation and billions of dollars in spending, OPG still could not provide the Epp panel with a definitive estimate for the cost of returning the remaining three units to service, nor could they provide a definitive timeline for completion. Current cost estimates for the completion of all four units range anywhere from \$3 billion to \$4 billion, and com-



pletion dates are estimated at anywhere from October 2006 to August 2008.

1410

If these estimates are accurate, then I would point out that the total project cost would be almost four times greater than the original estimate in 1999. This is unacceptable, and our government must take action to do something about it.

As a result of the findings of this report, the McGuinty government is responding in the following ways.

First, we are giving Ontarians the straight goods and releasing the report to the public immediately. Unlike the Tory government, our government is dedicated to ensuring transparency in OPG's operations.

Second, I have accepted the resignations of OPG's chairman, Bill Farlinger; the chief executive officer, Ron Osborne; and the chief operating officer, Graham Brown.

Third, we have appointed an interim CEO, Richard Dicerni.

Fourth, we have passed a shareholder resolution which will limit the power of the existing board and ensure that all major decisions are approved by the sole shareholder: the Ontario government. We will be revealing the Epp report and its recommendations in detail and will make further announcements in the coming days.

Determining the future of OPG is a critical element in shaping electricity policy. As the sole shareholder of OPG, the McGuinty government will ensure that a responsible plan is developed for OPG that is in the best interest of the people of Ontario.

The actions we are taking reaffirm our commitment to protect Ontarians by ensuring a safe, reliable and sustainable supply of energy for the future.

The McGuinty government will apply the lessons learned from this disappointing project failure and move quickly to restore faith in our ability to generate power in this province. We are moving decisively and responsibly to send a clear signal that we are serious about dealing with energy issues in a way that is transparent and in the best interests of Ontario. The people have not had this for the last eight years. The people in this province deserve nothing less.

**The Speaker (Hon Alvin Curling):** Responses?

**Mr Cameron Jackson (Burlington):** First of all, I want to thank the honourable minister for releasing the report today in its entirety and for making it available prior to the House.

Let me say at the outset as well that we on this side of the House accept the report and its sombre findings and we as well support the action taken by the government today. We consider it an important first step.

We concur with the report because, as the member opposite knows, our member from Nepean-Carleton, the Minister of Energy at the time, commissioned the report and was able to secure the involvement of Jake Epp, Peter Barnes and Dr Robin Jeffrey. These individuals, with the magnitude of their expertise—these people don't grow on trees. We were fortunate to be able to get them, and that's why the report will be an important basis on

which to consider some significant public policy questions which the government will be struggling with in the coming weeks and months ahead.

Pickering is the largest nuclear plant in all of Canada. It's also the oldest in this province. It presented many challenges to not only our government but the previous four administrations who were responsible for its management. This facility remains one of the most economic forms of creating new energy for OPG. Therefore today, when questions were raised about whether or not to mothball or proceed further with finalizing the complete overhaul and rehabilitation of this station, you were not in a position to respond.

But this is the first time in Canadian history that a nuclear facility has been completely overhauled and rehabilitated. Under no circumstances do I believe that any of the public servants responsible at OPG or prior at Ontario Hydro ever once felt that they should be compromising public safety in order to achieve scheduling objectives.

This was, as I said, an extremely complex and an extremely challenging overhaul; in fact, the largest one in North America. It involved the completion of almost 35,000 tasks, including the replacement and updating of all major components. There were 1,300 building trades, 700 engineering and project support, and 1,000 OPG employees working on this project almost full-time. This is, as I said, one of the largest rehabilitation projects, and by comparison the next-largest one that we can find is in the Tennessee Valley Authority, where the Browns Ferry unit 1 reactor was—their cost estimates, when converted to Canadian dollars, came in at \$3 billion, and that was a private sector nuclear plant that was being completely overhauled and reactivated.

The sad reality is that there were excessive cost overruns with this project, and the sad reality is that consumers in this province have paid. But this is a publicly run utility, we have entrusted public servants with its management, and it will raise some very large public policy questions for all members of this House as this government engages us, hopefully, in a process that will allow us to discuss issues about who should own the energy facilities in this province and who should be responsible for managing them.

Our government made a decision, one that involved bringing back on stream the Bruce nuclear facility. We were innovative in that approach by bringing in as partners the Power Workers' Union; bringing in financing from Borealis Capital Corp, which is in effect a large public sector retirement fund, TransCanada PipeLines and Chemico, the uranium producers from Saskatchewan. That project has been a success story, and yet it too had cost overruns and scheduling delays.

These are the realities of dealing with energy challenges in this century, and I hope the government will continue to work with all members of this House, whether it considers a select committee on energy to assist it in that capacity or engages in larger public hearings. For my part as the critic and for our part as the

official opposition, we want to work with the government to ensure that Ontarians continue to enjoy prosperity, which they have for the last century, well into the next century, having affordable, available power.

**Ms Marilyn Churley (Toronto-Danforth):** I'm proud today to respond to the minister's statement on behalf of Howard—

**The Speaker:** I'm assuming, really, that we have unanimous consent for the member to make her response. Do I have unanimous consent? Agreed.

**Ms Churley:** Let me try again. I'm happy on behalf of Howard Hampton, the leader of the New Democratic Party, to respond to the minister's statement today because today we received a damning report about nuclear power, not just about this situation, but about nuclear power and the Pickering nuclear station. But we were not surprised. The report confirms what our leader, Howard Hampton, has been saying all along and what Conservatives and Liberals have been denying for years: Nuclear power is a billion-dollar boondoggle. Get used to it. It's a financial black hole that over the years has cost Ontario billions of dollars over and over again.

Here we go again. Here is some of nuclear power's track record: \$7-billion cost overruns at Darlington under the Conservatives' and Liberals' watch; millions wasted on the lease of Bruce; \$18 billion more flushed down the toilet to close down the plants and store the waste—that's to come.

Today we find out about billions more wasted at Pickering. Despite all of that wasted money only one of four promised reactors is producing electricity, and that one started up two years behind schedule.

1420

You do not get billions of dollars in waste from engineering problems. Come on. Give me a break. If comes from negligence and misappropriation of funds. That's why my leader, Howard Hampton—

**The Speaker:** Could I ask you to withdraw the word?

**Ms Churley:** I withdraw that and clarify my statement. That's why my leader, Howard Hampton, has called for a criminal investigation into the cost overruns at Pickering and a forensic investigation of the books to find out who's ripping off Ontario ratepayers once again. There are serious allegations of gross misuse of public money here. Just think, if Dalton McGuinty had all that wasted money he'd be able to buy a pony for every girl and boy in this province. Listen, this is serious.

Nuclear power is an utter failure. When are we going to grasp that fact? But despite the waste and a public confidence meltdown in nuclear power, Dalton McGuinty and the Liberals won't slam the door on nuclear power. Liberals may want to bring on more nukes; they're not ruling it out.

On September 6, 2003, the Toronto Sun reported Dalton McGuinty saying, "The Liberal plan includes significant new investment in generating projects, including nuclear plants (by adding to the \$38-billion hydro debt)."

On November 13 in the Toronto Star, Energy Minister Dwight Duncan said new nukes were possible: "At this point, nobody's ruled anything in or anything out." He just said the same thing—I heard him with my own ears—at a press conference minutes ago.

On February 14, 2003, Dalton McGuinty told the Owen Sound Sun-Times, "To my way of thinking, nuclear generation is an integral part of a responsible, progressive plan to generate electricity in the 21st century." He said, "We've had a nuclear industry in Ontario for about 50 years and it has been, by and large, a very successful and solid record." Some success.

I want to echo my leader, Howard Hampton: It's time for a ban on new nuclear plants and a phase-out of Ontario's existing nuclear generators as they come to the end of their lifespan. It is time to end the nuclear boondoggles. If we'd invested all those billions of dollars, just imagine where we'd be today: into energy conservation and efficiency and new green power.

Let's do that now. Let's move forward with energy conservation and efficiency. Let's invest in that wisely—more green power like wind, solar, cogeneration and run-of-the-river hydro projects. We have to stop throwing billions of taxpayers' money down the drain with nuclear power.

**The Speaker:** I want to thank the member of Toronto-Danforth for her response, but let me just be very clear about responses from the third party. Whenever there is a response from the third party, I must get unanimous consent. I would like some co-operation in the future on that.

## ORDERS AND NOTICES

**Mr Peter Kormos (Niagara Centre):** On a point of order, Speaker: This is the final day of the second week of this House sitting, and it's the first full week of this House sitting and considering government bills.

The Orders and Notices paper is a long-time practice in this assembly, and all of us, I put to you, are entitled to rely upon in it (1) in terms of identifying which items notice has been given for; (2) in identifying which items are eligible to be called; and (3) because it's published not only in the hard copy that you're very familiar with but also electronically on the OLA Web site. Those of us especially who don't have caucus staff look to the Web site publication of Orders and Notices in the morning in an attempt to ascertain what the government intends to call.

Last week there were failures to identify orders of the day; so be it. We're now in the second week, with the week of full consideration of government business. Monday, December 1, orders of the day, afternoon: "To be announced"; 6:45 pm: "To be announced." Tuesday, December 2—my goodness—orders of the day, afternoon: "G5"; evening: "To be announced." Wednesday, December 3, afternoon: "To be announced"; evening: "To be announced." Today, Thursday afternoon: "To be announced"; evening: "To be announced." This is far



more characteristic of a government that's in chaos at the end of a very unsuccessful term.

I put to you, Speaker, that we are entitled to have this information available to us so that even members of smaller caucuses, who don't have caucus staff, can arrange their day. The Speaker, I put to you, is put in a position where he ought to instruct the government House leader to get his act together and indicate what orders are going to be called. Otherwise, we're left with the impression that this government couldn't organize a drunk up at the brewery, never mind properly list items to be called during the debating day.

**The Speaker (Hon Alvin Curling):** I'll remind the member that orders of the day are called and it's up to the government House leader to call them at that time. No notice need be given. I should caution the member: Please watch your language.

#### DAY OF REMEMBRANCE AND ACTION ON VIOLENCE AGAINST WOMEN

**Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** I seek unanimous consent. I understand we've arranged in advance that each party, including the third party, the NDP, would have five minutes today to address the memory of the Montreal massacre.

**The Speaker (Hon Alvin Curling):** Agreed? It's five minutes for each party.

**Hon Ms Pupatello:** I rise in the House today in recognition of December 6, in a couple of days, as Canada's national Day of Remembrance and Action on Violence Against Women—a day that I wish, and I know all members of this House wish, we didn't have to remember. It's a haunting memory of a terrible tragedy in Montreal 14 years ago. Yet, two days from now, Canadians from coast to coast will once again gather in their communities to mourn the loss of 14 bright young women who were murdered on December 6, 1989, at Montreal's École Polytechnique.

Today, imagine where these women would be in their bright careers. Would they be spouses, would they be moms, they would be tremendous engineers, women who shouldn't have been taken from us—an act of violence that was felt in all our hearts; an act that changed the way we look at our mothers, our sisters and our daughters; an act that's imprinted in our memories forever.

There isn't a single person in this chamber who isn't revisited by, and fears that day—the fear of not being able to protect someone you love. How that single act of violence changed our lives.

As we remember these innocent young women, we must remember the thousands of Canadian women who've been, and continue to be, physically and emotionally abused, sexually assaulted and murdered in their homes, in our communities, every day of the year.

We've all read the headlines. They remind us all too clearly that violence against women still haunts our

society. That's why we've got to do more than just remember. We must act. We must, each one of us, find a way to make a difference, to make a contribution to putting this senseless violence behind us.

As individuals we have to lead by example in our own homes and in our own neighbourhoods. As communities we have to support women who are fleeing violence—give our time, our support, our commitment to never remain silent about this horrible crime.

As a government, each one of us in this House, we have to do more to protect women and children from violence by giving them real options to escape threatening situations and by holding abusers accountable for their actions.

1430

I think our Premier gave that very first step in his first couple weeks as Premier when he stepped into a shelter in the London area because he had extra time that day—shocked everyone who was there in the shelter but sent a very strong message that this is important to this government. We don't know when the last time was that a Premier dropped in at a shelter for women, but it sends us a strong message about how much work we have to do as a government to make the \$160 million that go out the door of this government work for women and children who are suffering from some form of violence.

Margaret Mead once wrote, "Never doubt that a small group of committed people can change the world. Indeed, it is the only thing that ever has."

If I may, I'd like to read you the names of those women who died and then ask all members to rise for a moment of silence.

Geneviève Bergeron, Hélène Colgan, Nathalie Croteau, Barbara Daigneault, Anne-Marie Edward, Maud Haviernick, Barbara Klucznik Widajewicz, Maryse Laganière, Maryse Leclair, Anne-Marie Lemay, Sonia Pelletier, Michèle Richard, Annie St-Arneault and Annie Turcotte.

*The House observed a moment's silence.*

**Hon Ms Pupatello:** I know that together we can make meaningful change.

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** I want to join my colleagues from the other two parties in recognizing Canada's national Day of Remembrance and Action on Violence Against Women on December 6. It was on that day, of course, that 14 young women in Montreal were brutally slaughtered—14 young women were killed in a simple, single, senseless act of violence—14 young women who were so full of promise and idealism. However, this massacre was not an isolated incident of violence.

As we have already heard, every day in this country, in this province and throughout the world, women flee violent and abusive situations. Abuse continues to exist and it is widespread. Violence, unfortunately, does breed violence, and women with a violent father-in-law are more likely to be assaulted by their own partners. Moreover, much of the violence today continues to go unreported.

So today it is not enough to just remember. We must continue to work for change. We must all dedicate ourselves to the task of eradicating violence against women. I believe the best tribute that we can continue to pay to those 14 young women, and the best monument we can ever build to their memory, is to continue to work to change society's attitudes about violence against women. All women deserve the right to live without fear. We need to continue to educate people in this province. We need to continue to sensitize them to recognize that there are certain attitudes, that there are certain behaviours, no matter how casual or seemingly innocent, which contribute to the continuation of violent and abusive behaviour. Also, parents have a responsibility. They need to exercise discipline at home and teach their children of both sexes to be kind, compassionate and understanding. We must also reject sexist language and behaviour. We must acknowledge and deal with the influence of song lyrics and media violence. These are a few of the preventive actions that we as individuals can act upon. However, if we are ever going to create a culture of safety, equality and justice for women, it is absolutely imperative that men and women work co-operatively together. So we need to take collective action and we need to arrive, hopefully, at that day when no one in this province, in this country or this world, whether they are a man, a woman or a child, will ever again be abused.

Today, as we remember, let each of us personally consider what we can do to ensure that we break the cycle of violence.

**Ms Marilyn Churley (Toronto-Danforth):** On December 6, 1989, a lone gunman armed with a semi-automatic rifle brutally killed 14 vibrant young women at Montreal's École polytechnique. We mourn and we remember. Mr Speaker, I hope I'll have unanimous consent for this, because a rose has become a heart-breaking symbol representing the lives of these 14 young women who tragically died. Every December 6, I have held in my hand a rose to remember specifically one of the young women. I know that other women today at Women's College Hospital did the same, as they do every year.

Every December 6, since that horrifying day, I think—and I'm sure you do too—of those bright young women bursting with promise. I think of their families and friends and how dark a day this must be for them even after all these years. I shudder still, as I know you all do, even after all these years at the thought of that gunman. I can visualize it: Our own daughters—think—in a classroom going about their daily business and suddenly a gunman walks in, shouting, "I want the women." That's what he shouted, and then he separated the men from the women. He ordered the men to leave, and he lined the women up against an execution wall. "You are all feminists," he shouted and began shooting to kill.

I think of that tragic day, and I lament the fact that years later women are still the target of violence and hatred, sometimes simply because they are women who

dare to speak out and sometimes simply because they are women. As I pointed out last year, the leading cause of death for women worldwide, ages 15 to 44, is not cancer, is not automobile accidents, is not malaria; it's male violence against women. That's why it's so important that we stand here year after year and remember what happened 14 years ago.

Forty women in Ontario, it's been pointed out—and I appreciate the minister's comments today about her government's commitment to dealing with this tragic fact. Since June 1995, 161 women, 21 children, 10 family and friends murdered by male violence; a 33% increase in murders of women between 2000 and 2001, most of those in Ontario. We have to do something to stop this senseless violence.

I'm going to end by reading a passage from the Status of Women Canada Web site, 2002:

"Violence affects all members of society. However, violence against women is a complex issue that is closely linked to inequalities and power imbalances in society. It seriously affects the ability of women to achieve equality. Actually, it is not only the incidence of violence against women that limits women's lives, but the fear of violence that affects their daily existence, how they dress, where they go, with whom they associate, their mode of transportation etc. Violence against women continues to be a significant and persistent social and economic problem in Canada with serious impacts on our health, justice and social services system."

On behalf of the New Democratic caucus, and of course of on behalf of all of us, we send our best wishes and our sympathies to the families of the 14 women who were so brutally murdered those 14 years ago.

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## ORAL QUESTIONS

### PROVINCIAL DEFICIT

**Mr John R. Baird (Nepean-Carleton):** My question is to the Minister of Finance. Taxpayers were shocked and horrified when they opened the morning papers and saw the title "Ontario's deficit expected to exceed \$5.6 billion." Minister, you seem to be so concerned with vilifying the former Conservative government that you seem to be prepared to put Ontario's economy at risk and you want to play games with Ontario's economy. You're putting our economic health and the well-being of Ontario taxpayers at risk. Would you stand in your place and tell Ontario taxpayers that you won't allow this projected deficit to grow? Would you stand in your place and say you'll roll up your sleeves, get to work and balance the budget of Ontario, just as you promised to do 60 days ago?

**Hon Greg Sorbara (Minister of Finance):** It takes an unbecoming degree of temerity for the member from Nepean-Carleton, a former energy minister of this province, on the day that the Epp report is released—a report



that says that mismanagement may cost this province an extra \$4 billion—to stand in this place and call for the kind of actions he calls for. I want to tell him that we are working day and night to try to begin a process to fix eight years of mismanagement, and that member from Nepean-Carleton was one of the perpetrators.

**Mr Baird:** I was the one who commissioned the report that was released today, I would remind the Minister of Finance.

Minister, it's time you accepted your responsibilities as the guardian of the public purse. The people of Ontario voted for tough fiscal watchdogs, and what they appear to be getting are a bunch of drunken sailors in government. Stop the flim-flam; stop the con jobs. Stand in your place and say you won't allow this deficit to grow beyond \$5.6 billion and you'll finally get to work and balance the budget, just as you promised to do in the last election campaign.

**Hon James J. Bradley (Minister of Tourism and Recreation):** He insulted sailors.

**Hon Mr Sorbara:** My friend from St. Catharines says, "He insulted sailors." I think we can do without the name-calling, I tell my friend from Nepean-Carleton.

We've been in office about six weeks. I admit to this Parliament and to the people of Ontario that we are still opening closets and finding disasters—there's no doubt about that. But at the same time, I can tell him that we are going to work diligently to make sure that over the course of our mandate we have transformed the government of Ontario, we have undone the damage they left us and we have put this province on a sound financial footing. That commitment will inform every day of our work from now until the next election.

**Mr Baird:** What the people of Ontario want is for you to stand in your place and answer the question. I say to the Minister of Finance that you can't simply open the doors of the provincial treasury and invite all your special interest friends to come in and feast on an all-you-can-eat buffet. Yesterday it was education, and all these ministers are out making more and more promises to increase government spending at a time when we cannot afford to. Would you stand in your place and accept some responsibility. The Minister of Municipal Affairs mused publicly that perhaps your government was too naive when you were making promises before the election campaign. I want to ask the member very directly: Were you naive, were you reckless or were you just lying to the people of Ontario?

*Interjections.*

**The Speaker:** Order. Will the member for Nepean-Carleton withdraw those comments.

**Mr Baird:** I withdraw.

**The Speaker:** Minister?

**Hon Mr Sorbara:** When the member from Nepean-Carleton talks about spending, and then we look at what the auditor's report said about \$750 million in the old Ministry of Innovation, and we look at the way they gutted public education, I remind him that one of our first moves in this Legislature was to get rid of the private education tax credit, because we are determined to put

education on a sound footing again. That's why, for example, yesterday we made an allocation to start to repair that damage. It's going to take some time, but with the attitude of my friends and the state of denial they are in in this project, I can tell you they will be of no help.

## HIGHWAY TOLLS

**Mr Frank Klees (Oak Ridges):** My question is also to the Minister of Finance. I wonder if the minister remembers May 8, 2003. That was the day a news release was put out that was headed, "Sorbara and York Region Liberals Campaign Against Highway 407 Rip-off." On that same day, the honourable member, along with other Liberal candidates, made the commitment to the people of the GTA that, if elected, this Liberal government would in fact roll back the tolls on Highway 407. Does the honourable minister recall that and, in light of the fact that that commitment was absolute, unequivocal and unconditional—

**The Speaker (Hon Alvin Curling):** Question.

**Mr Klees:** —will he stand in his place today and confirm for this House, and for everyone who elected a Liberal based on that promise, if he and his Minister of Transportation will keep that promise?

**Hon Greg Sorbara (Minister of Finance):** I would like to refer my friend from Oak Ridges to an article in today's Globe and Mail by one Derek DeCloe. The headline reads, "To Find SNC-Lavalin's Hidden Value, Take the 407." The gist of the article, just to sum it up, and I know you want to rush me: They refer to the soaring value of SNC-Lavalin's stock price and say it's all because of the sweetheart deal that that government gave to the owners of Highway 407 back in 1999.

**Mr Klees:** I will refer to the same article, in which it says, "Elect us, he said"—that is Mr McGuinty—"and we'll force the road's owners to roll back the fees." You, sir, have not answered one single question directly in your six weeks in office and two weeks in this Legislature. I'm going to ask the question one more time: Will you and your government keep at least this promise, the breaking of which, by the way, you cannot ascribe to a bogus deficit. Will you keep this promise?

**Hon Mr Sorbara:** I recall that the member from Oak Ridges was the Minister of Transportation. I remember that it was his government, when they sold the highway, that announced publicly that the tolls would not rise more than 2% above inflation for 15 years. I remember Mike Harris saying the consumers of this province were protected.

Highway 407 is an example of the mismanagement and the misstatement of reality that characterized eight years of this government. I will tell my friend from Oak Ridges that we will do everything within the law to try to bring about lower rates on that highway.

1450

**Mr Klees:** I, in fact, am very familiar with this contract. I'm also well aware of the fact that so was he, and so was the leader of the Liberal Party when he made this promise.

I'm going to remind the honourable member of another Liberal who made a promise to the people of her constituency—in that case regarding the GST. Having to break that promise because the government of the day didn't back up that promise, she—one Sheila Copps—did the honourable thing and resigned her seat because she could not keep the commitment. Will the honourable member do the same? Will the member have the same integrity and say, "Yes, I promised this. I can't deliver. I was elected on the basis of that promise. I will do the honourable thing"—you, along with Mr Racco, who made the same commitment? Sir, will you do the honourable thing?

**Hon Mr Sorbara:** The answer to my friend's question is, yes, we will do the honourable thing. We're going to start to repair the damage done with the sale of Highway 407. We're going to start to repair the damage done to our hospitals. We're going to start to repair the damage done in education. We're going to start to put this province on a sound financial basis. I want to invite my friend, as a return invitation, to send back to the treasury of Ontario 25% of his ministerial salary, given that he left this government and this province with a \$5.6-billion deficit.

#### ONTARIO DRUG BENEFIT PROGRAM

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** My question is for the Minister of Health.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** We pointed out to you earlier today that the minister had to leave at about 2:45.

**Mrs Witmer:** We had received word that he would be here until 3 o'clock. He's gone? OK. The Deputy Premier—who is the Acting Premier today? All right. My question then will be to the acting Deputy Premier.

Earlier during this session, both your Premier and your finance minister refused to guarantee to Ontario's seniors that you were not considering changes to the Ontario drug benefit program. Will you today stand in your place on behalf of seniors and guarantee that you will not impose an income test, that you will not introduce user fees and that you will not restrict access to drugs? I'm quite sure you're capable of answering without the guidance from the finance minister.

**Hon Leona Dombrowsky (Minister of the Environment):** I would very much like to answer the question, but I believe the Minister of Finance has the information that the honourable member has specifically requested.

**Hon Greg Sorbara (Minister of Finance):** Over the course of the past eight years, we have seen in the health care system a lack of attention and a degree of mismanagement. My friend from Kitchener-Waterloo was the minister for quite some time. I will simply tell her that what we find, having taken on our responsibilities, is that, for example, the way in which they approached their business is they allowed hospitals to live on their credit cards, not in order to build new facilities but to keep the doors open in the hospitals in this province.

I want to tell my friend that we are looking at ways to transform the enterprises of this government, whether it be in health care or education, to make certain that within four years we have this province on a sound financial footing again. The province and the people deserve nothing less than that.

**Mrs Witmer:** This government and this minister have now had several occasions to demonstrate their support for seniors and access of seniors to drug benefits in Ontario. They have refused to do so. It is obvious they are planning to introduce a means test, user fees and start the delisting of drugs.

I'll give you one more chance. Can you guarantee that you are not going to income-test, introduce user fees or reduce access to drugs?

**Hon Mr Sorbara:** I tell my friend from Kitchener-Waterloo that she has now gone from effective opposition to scaremongering. I'm not going to indulge in that, I tell my friend. That would simply be absolutely inappropriate. If she wants to use those tactics in this House, that's perfectly all right with me. I simply want to tell her that our mandate is to make sure that we start on improvements in this health care system as soon as possible.

#### EDUCATION FUNDING

**Ms Kathleen O. Wynne (Don Valley West):** My question is for the Minister of Education, and I'm pleased to ask it in order to give him an opportunity to clarify a really positive initiative.

Yesterday you announced an investment of \$112 million for students who are struggling the most in the province. Your announcement recognizes that students who have recently arrived in Canada or who come from single-parent or low-income families do have additional needs. It signals the end of the previous government's one-size-fits-all approach to education. Instead of applying the recommendation of the Rozanski report, the previous government turned their back on children in crisis and cut ESL funding instead of investing in it.

The investment made yesterday is an investment in our priority: public education. Minister, can you tell us how this announcement is specifically going to help students in Ontario?

**Hon Gerard Kennedy (Minister of Education):** Thank you to the member for Don Valley West for the question. It is, I think, important to tell people in this province that there are children in our schools today who aren't achieving what they could in reading and writing, for reasons that we know about that have been long understood by the teachers, by their parents. They've had to struggle on their own or boards have had to become destabilized trying to meet their needs.

When the previous government was faced with taking over the funding of the province, they had a recommendation for \$400 million to address the needs of kids who are in poverty, kids with single-parent households and recent immigrants. They chose instead to fund it at \$185 million. For eight years these kids have been left to



fall behind, to not be part of the benefits of Ontario society. We are saying that we will not make them wait another year.

We have our challenges, but we are not going to do it on the backs of young children who need to learn how to read, write and acquire mathematics to be a sustaining part of society. We are very proud in fact that we were able to find a way to make this happen this year, working co-operatively with the boards around this province, to make sure that these children have indeed a better future.

**Ms Wynne:** Thank you, Minister. This is really excellent news for parents and students across the province. It means the beginning of the end of trying to fit square pegs into round holes.

I know that people in my riding of Don Valley West will be glad to hear of this government's commitment to improving literacy across the province. It's something I think we all can be proud of.

I don't need to remind you how important ESL programs are in a province like Ontario that continues to grow with immigrants whose first language is neither French nor English. Literacy is one of the cornerstones of our democracy and of citizenship.

Can you talk about what kind of literacy programs will be funded by the new \$112-million investment?

**Hon Mr Kennedy:** Thank you to the member for the question and the supplemental, because we need to come to grips with our collective challenge here. There are, I think, obviously children who need to acquire English as a second language, and they're held back. They score half as much on the test scores in this province as kids who don't have that kind of handicap. We need to bring them in and we need, as the member mentioned, to do this, not just for their sake and society's—working for our economy. This economy needs us to be good at bringing in new immigrants, needs us to be very good at the cohesion our school boards provide, and needs us to not hold these kids back simply because this government previously cut back from those particular individuals.

It's a kind of savings that is now being told in our schools, it's being told in terms of our workforce, and we want them to catch up. There are literacy programs we can do in terms of individual attention, time out for them. There are things we can do to help parents at home that have yet to acquire English, to reinforce things.

I was at a school yesterday in Mississauga where they have books that are falling apart, but they're the right books to have. They're scaled to the ability of those kids. They'll be able to acquire new books, they'll be able to continue the programs to do with parents, and bring back some of the ones they cancelled two and three years ago and make sure that these kids again are part of the future.

1500

**The Speaker (Hon Alvin Curling):** New question?

**Mr Jim Flaherty (Whitby-Ajax):** My question is to the Minister of Education. There are some remarkable conveniences, coincidences, arising out of the announcement yesterday.

First of all, the government says it can't find any money, but it suddenly found \$112 million yesterday.

Secondly, the lion's share of the money, more than 53%, more than \$60 million, went to the city of Toronto school boards.

Thirdly, the superintendent of insurance of the Toronto District School Board says that most of the money is going to pay down the deficit voted by the trustees of that school board, contrary to section 231 of the Education Act. They broke the law.

Fourthly, the amount going to the Toronto District School Board, coincidentally, in a deficit of between \$43 million and \$48 million, is \$46 million.

This is a bailout. I say to the minister: Come clean. Stop the masquerade. Just admit to the people of Ontario you're bailing out the trustees who broke the law at the city of Toronto school board, at the expense of all the folks in the 905, all the folks across the province of Ontario, and dishonouring those trustees who obeyed the law.

**Hon Mr Kennedy:** We have a question from a member opposite who stood idly by, here in the greater Toronto area, not respecting the diversity that we have in this province. With his eyes tightly shut, the blinders firmly on, he stood by as program after program was eliminated that could help kids in this province have an equal chance. He didn't stand up for his constituents, or those who happen to be in the 416 area code.

This funding simply recognizes the nature of the challenge that takes place in every community in this province. We on this side of the House have no problem saying that Toronto needs to be strong; the schools in this community need to be strong. So do those in Pickering; so do those in Durham region.

They didn't have the members stand up for them, but they do now. They have people on this side of the House who care how those kids do, and we make no apologies for it.

**Mr Flaherty:** With eight cabinet ministers from Toronto, it's not surprising that there's this focus, this concentration, on Toronto. But remember, Minister, you're the minister for the entire province of Ontario. Listen: The data you used isn't even right. You used 2001 census data to allocate this money.

The Toronto Star—your favourite—talked this week about enrolments going down in the Toronto District School Board. The enrolment has gone down by 7,700 students in the past year alone. Students are moving to the 905, immigrants are moving to the 905, more people to the 905. The 905 got a pittance out of this money. That's not fair to parents of children outside the city of Toronto.

I know you don't want to admit that this is slush money that you're giving the Toronto District School Board trustees. I know you don't want to admit that. But at least use accurate statistics. Come to this House with accurate statistics and allocate the money fairly for families across the province of Ontario, not your friends at the Toronto District School Board.

**Hon Mr Kennedy:** Here we see the living embodiment of a government with its blinders firmly on, unable to see the real Ontario. The member opposite refers to

using census figures from 2001. His government used census figures from 1991. That would suggest, the attitude that he reflects is from 1891.

I will tell him, for example, in Mississauga where we were yesterday, using the 2001 figures that reflect today's reality, the same reality that said no to the politics of division, that said no to your old-style of politics. That reality meant the amount of money to help new immigrant families, to help kids living in poverty, to help kids who require English as a second language, doubled in the region of Peel, because there is no artificial division any more between 416 and 905. There's just children in this province who haven't recovered from the effects of a government that preferred private education over public education. We'll work with them.

*Interjections.*

**The Speaker:** Order. New question.

**Mr John R. Baird (Nepean-Carleton):** On a point of order, Speaker: the member for Eglinton-Lawrence said that my colleague for Whitby-Ajax was anti-immigrant. I'd like you to review that. I think it's very serious—

*Interjection.*

**Mr Baird:** He says, "Yes, I did say it." I think it's disgraceful that a member of this House is accused of being anti-immigrant, and I want the member opposite to apologize.

*Interjections.*

**The Speaker:** If the member said something unparliamentary, I ask him to withdraw. I didn't hear it.

*Interjections.*

**The Speaker:** Order. I don't think the language you use is good either.

**Mr Flaherty:** On a point of order, Mr Speaker: I didn't hear what the member said, but my friend from Nepean-Carlton tells me that he used that language. I'm a member of the House, and if it was used toward me I would expect the member to withdraw it.

**The Speaker:** I did not hear it.

**Mr Flaherty:** I didn't hear him either.

**The Speaker:** The matter has been settled.

*Interjections.*

**Mr Baird:** Would you ask him if he said it?

*Interjections.*

**The Speaker:** Order.

**Mr Flaherty:** On a point of order, Speaker: I'm certainly satisfied if the member for Eglinton-Lawrence would simply assure the House that he did not say what is alleged.

**The Speaker:** I asked the member if he had said something unparliamentary and wanted to withdraw it. I did not hear it. If that's the case—

**Mr Mike Colle (Eglinton-Lawrence):** Speaker, just to make it simple, I withdraw.

1510

#### MEAT INSPECTION

**Mrs Maria Van Bommel (Lambton-Kent-Middlesex):** My question is for the Minister of Agriculture and Food. Food safety is a very important issue in Ontario today. As

a poultry producer, I understand the critical role that meat inspection plays in the agriculture industry and for farmers. People want to know that their meat is safe and reliable, and they want to know that the Ontario meat inspection system is accountable and responsive. The livelihood of agriculture depends on public confidence in the food safety system. How will your recent announcement about hiring more full-time inspectors to help the agricultural industry?

**Hon Steve Peters (Minister of Agriculture and Food):** We made a commitment to hire more full-time meat inspectors in this province. We made a commitment to ensure that meat inspectors in this province were part of the public sector. We made that promise and we've kept that promise, because we need to ensure that consumers in this province have the utmost confidence in our industry. But more important than that, we need to ensure that farmers' economic confidence is there as well. Hiring these 128 new full-time and part-time meat inspectors is going to help to instill that confidence for producers like yourself and other producers in this province. It's incumbent on us to do that.

We saw, with the Tory proposal for contract meat inspectors, a 30% annual turnover in meat inspectors. That doesn't help to instill confidence in the system. That doesn't help to ensure that those meat inspectors are going to receive adequate education and training. We made that promise. We believe in the agricultural community in this province. We believe that one way to instill that confidence all around is through full-time meat inspections.

**Mrs Van Bommel:** I'm glad to hear you have that commitment to agriculture and that you take this so seriously. The previous government unfortunately did not take food safety as seriously. They failed to give us the resources needed to ensure that there was a safe meat inspection system. They didn't take responsibility for food safety in this province, and that neglect almost jeopardized the public confidence that we need as an industry. How will your announcement to increase the number of full-time meat inspectors reverse this dangerous problem?

**Hon Mr Peters:** Thank you again for the question. What we're going to see happen in this province is that the per capita ratio of abattoirs is going to increase from what it was in 1995. We're going to ensure that we don't have auditors' reports like 2003, pointing out faults in our food safety system. We're going to ensure that we don't have auditors' reports like 2001, pointing out faults in our food safety system.

We're going to ensure that legislation is passed. In 2001, the previous government passed the Food Safety and Quality Act. Did that act get proclaimed? It did not. Were those regulations written? Never. We're committed to food safety. We want to instill, as I said earlier, that confidence in consumers, that confidence in the agricultural community. Food safety is going to be a priority for this government. We're going to ensure that Ontario's food products, unlike the previous Minister of



Agriculture and Food, are second to none. We're going to make sure that Ontario products are first not only for Ontarians but for the world over.

### POLICE SERVICES

**Mr Garfield Dunlop (Simcoe North):** My question today is for the Minister of Community Safety and Correctional Services. Minister, as you know, this week MPPs gathered on Tuesday evening for a reception with the Ontario Association of Chiefs of Police. At this reception—you were there, of course, and many of us in this room were there—the Premier mentioned in his comments to the chiefs, “You can count on us.” That’s what he said to the chiefs of police. I hope that every member of this House supports the chiefs of police of this province. Minister, based on this very supportive comment from your leader and our Premier, can you please answer this question: What are your plans for the public complaints process?

**Hon Monte Kwinter (Minister of Community Safety and Correctional Services):** The area of public complaints is going to be reviewed. I’ve given the Ontario Association of Chiefs of Police that commitment. When that review is complete, I will be very pleased to share the results of that review with you.

**Mr Dunlop:** Thank you very much, to the minister, for that. My leader, Ernie Eves, clearly indicated our support for the Toronto Police Service by earmarking \$1 million for the purchase of a much-needed helicopter in this year’s budget. If police services across Ontario can count on your government, like your leader says, does this mean that the spring 2004 budget will include money for a helicopter for the Toronto Police Service?

**Hon Mr Kwinter:** I think it’s important to understand that the previous government, under Ernie Eves, made a commitment to the Toronto Police Service that they would contribute \$1 million toward the purchase and operation of a helicopter. Notwithstanding that they made that commitment in their budget, they never delivered on it. When the chief said to me, “Are you going to honour their commitment?”—“their” being your government—my response was, “No, we are not.” We have discretionary funding constraints, and when the chief wouldn’t even put the operations into his request to his police services board, it seems to me that that is not the highest priority. Our priority is to make sure we get enough police on the streets. So that is a commitment you did not honour. To suggest I should pick up your commitments is something that is totally unreasonable.

### NUCLEAR ENERGY

**Ms Marilyn Churley (Toronto-Danforth):** My question is for the Minister of Energy. Minister, I have some questions for you on the report that was released today. Your government received a damning report today about nuclear power and the Pickering nuclear station. The report reveals that nuclear power is a billion-dollar boon-

doggie; it’s a financial black hole that has cost Ontarians billions of dollars. The Premier recently said we’ve had a nuclear industry in Ontario for about 50 years, and it has been, by and large, a very successful and solid—

*Interjections.*

**Ms Churley:** Mr Speaker, this is ridiculous. Please. I hope you’ll indulge me to start again so the minister can hear me. What the Premier said before was that we’ve had a nuclear industry in Ontario for about 50 years, and it has been, by and large, a very successful and solid record. During the election, he said he might build more nuclear plants.

Minister, now that you’ve read the report, clear up where you stand. Tell us, will you sink billions more into Pickering and nuclear plants?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** The report that was presented to me did not pretend to go beyond the issue of the immediate management concerns around the restart of Pickering. As I indicated—and I believe the member was there—no options are on the table or off the table at this point. The government will have further announcements with respect to not only the future of Pickering but the future of our entire energy system.

We inherited a mess. We inherited a situation where there is no security of supply, no reliability of supply, prices that were fluctuating all over the map. We received this report this week. It did not purport to go beyond the mandate that was very narrowly defined in its undertaking. At this stage what we have said, and it remains my position, which is the position of the government, that we’ve ruled nothing in and nothing out at this point with respect to the future of energy.

It’s important to remember too that we need to have adequate and reliable energy available at all times and in all parts of this province. Premier McGuinty is showing leadership. We will make sure that this province has reliable, safe, clean energy to ensure that our economic future remains bright and prosperous.

**Ms Churley:** Nuclear power has been neither reliable nor affordable. That’s been proven again today. Minister, I say to you, your support for nuclear power is putting Ontario on the verge of public confidence meltdown.

Let me tell you about nuclear power’s track record—it’s not just today: billion-dollar overruns under your watch at Darlington; billions wasted on the Bruce lease; billions wasted at Pickering and \$18 billion more to close the plants and store the waste.

New Democrats are telling you today we should learn that we should stop tinkering with nuclear power, because every single time that we do, billions of dollars get flushed down the toilet.

So I ask you again, Minister, now that you know how big a boondoggie nuclear power is—

*Interruption.*

**Ms Churley:** There’s the call. How can you keep even an open mind to more nuclear plants today?

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. Need I say it?

**Hon Monte Kwinter (Minister of Community Safety and Correctional Services):** I'd like to offer my apologies to the members of this Legislature.

**The Speaker:** Thank you very much. Could you all check your devices and turn them off? Minister.

**Hon Mr Duncan:** There are many questions that need to be addressed in the context of our future energy supply. Surely the member is not suggesting that at this moment we can possibly shut down the nuclear reactors we have and not deal with them. I would remind her, in five years her government did nothing to that effect. You had the chance on many occasions; you did nothing.

In 1993, the board of directors of Ontario Hydro suspended all demand-management programs—all of them. One or two of them were restarted later. They did have a conservation method: Before they froze prices, prices for electricity went up 40% under her government. They refused to address, in a realistic fashion, the reality of our energy sector.

I can assure this House that our supply of energy, when we're done our first term, will be safer, more energy-conservation-wise, and greener and cleaner than anything that gang ever did. That's our commitment. We'll deliver, unlike that rump over there.

1520

#### VISITORS

**Mr Mario Sergio (York West):** On a point of order, Mr Speaker: Joining us today in the House and watching the progress of the House and the workings of the House, I have the pleasure of introducing a group of students and teachers from the wonderful school of Cardinal McGuigan in the riding of York West, in the west public gallery.

**The Speaker (Hon Alvin Curling):** Welcome. You know it's not a point of order, however.

#### IMMIGRANTS' SKILLS

**Mr Khalil Ramal (London-Fanshawe):** My question will be for the Minister of Citizenship and Immigration. Minister, I am glad to know that we finally have a government that is prepared and dedicated to really solving two serious problems facing Ontario: the problem of a skilled labour shortage and the problem of failing to integrate new immigrants into our economy.

Minister, in order to make smart choices, new Canadians need better access to information about how to work in Ontario. What plan does the government have to make information available to skilled immigrants so they can better plan where and how they will practise their skills?

**Hon Marie Bountrogianni (Minister of Children's Services, Minister of Citizenship and Immigration):** I'd like to thank the member opposite. He raises a very important issue. Our government views immigration as a

tremendous opportunity, a solution that will propel our economy and sustain the cultural and social vitality of Ontario.

Earlier we heard from my colleague the Minister of Education how we are doing that at a very young level, with the children of immigrants. But we will do much more, and the honourable member raises that as well. Each year, more than 120,000 immigrants choose Ontario. No workforce in Canada benefits from immigration more than ours. Our newcomers are highly educated, highly skilled people who offer us a clear competitive advantage in today's global economy if—if—we take the steps to remove the barriers that prevent them from contributing to our labour market and economy. I'm working very closely with the Minister of Economic Development and with the Minister of Training, Colleges and Universities to meet this end.

Last month, I met with my federal counterpart to begin collaborative discussion on an immigration agreement for Ontario, an agreement that will improve support for labour market integration, settlement services and language training. My colleagues and I will consult with various stakeholders, including municipalities, to ensure we have an immigration agreement that works for immigrants and works for the province.

**Mr Ramal:** I have another question to the same minister. Minister, Ontario is experiencing a brain gain. Every year, internationally trained professionals bring their skills here. But too many new Canadians are not able to use their skills to make our province better. While many new Ontarians have post-secondary education, thousands of newcomers face barriers that prevent them from working in their field of expertise. How will you harness the skills and expertise of new Ontarians who received their training elsewhere, so they can find good jobs that make use of their talents?

**Hon Mrs Bountrogianni:** What I'm discovering through our consultations is that there are patchworks of programs—federal, provincial and municipal—but it's the coordination of those programs that is missing. We envision an integrated and comprehensive Internet portal that points potential immigrants to a wide variety of provincial, federal and other resources. This will help people make informed choices about where to live and practise in Ontario before they come. The tragedy does exist that people come here with higher expectations, and we do very little in this province to remove that barrier.

We are the only province that doesn't have an immigration agreement with the federal government. We have begun discussions with the federal government. Consultations begin December 19 and will continue through the new year. We will ensure that our new Canadians have the skills to contribute to the economy of this province.

#### NORTHERN TAX INCENTIVE ZONE

**Mr Norm Miller (Parry Sound-Muskoka):** My question is for the Minister of Northern Development and



Mines. There was no mention of the northern tax incentive zone in the throne speech. Is the government planning on implementing the northern tax incentive zone, as announced last spring?

**Hon Rick Bartolucci (Minister of Northern Development and Mines):** I'd like to thank the member from Parry Sound-Muskoka for the question. Indeed, if he's finally agreeing with us that the Tories, his former government, left Ontario with a \$5.6-billion deficit that we have to deal with, if he's saying that his government created 8,200 fewer jobs in northern Ontario in the last six years, if he's saying that because of their failed policies the population in northern Ontario decreased by 4.2%, then what I'm saying to him is, yes, he's right on all of those.

We as a government are looking at very creative strategies to ensure there is renewed growth in northern Ontario, that there is renewed presence of our youth, who have out-migrated from northern Ontario at 18.3% over the course of the last six years. We will explore those possibilities that will turn around this deficit you created for those of us in Ontario and those of us in northern Ontario.

**Mr Miller:** I assume that was a long-winded way of saying no. I attended the Federation of Northern Ontario Municipalities meeting May 9, 2003, when then-Premier Eves announced that the entire north was to be a tax incentive zone. I can tell you he received a standing ovation from all the municipal representatives, who recognized how helpful this tax incentive zone designation would be to the economic challenges of the north. I quote from the May 10 Sault Star: "Every community in the north is suffering from declining population and lost assessment and we need the tax-incentive zone to stabilize things," said Joe Fratesi, the city's chief administrative officer." That's the chief administrative officer of the city of Sault Ste Marie.

**The Speaker (Hon Alvin Curling):** Question.

**Mr Miller:** This initiative was obviously very much supported by northern municipalities. What are you going to do to replace this, if you're not going to carry out this initiative?

**Hon Mr Bartolucci:** Indeed I did meet, two weeks ago, with FONOM's executive board. Richard Adams from Parry Sound is the chair of that board. Certainly we had great dialogue. Do you know what FONOM was very impressed with? Finally they had a Northern Development and Mines minister who would come and meet them. Finally they understood that Premier McGuinty lived up to his commitment to appoint a northerner as Minister of Northern Development and Mines.

But do you know what they were very concerned about? They were very concerned that the previous government had left the people of northern Ontario in the dark about the looming deficit that was about to happen. They were very concerned that they would have to struggle, but this time in partnership with a government that cared, to tackle the \$5.6-billion deficit that you left.

1530

## FAMILY RESPONSIBILITY OFFICE

**Mrs Linda Jeffrey (Brampton Centre):** My question is for the Minister of Community and Social Services. The Provincial Auditor's scathing critique of the Family Responsibility Office revealed some very serious flaws in that organization. Here are some alarming facts: There were 1,500 cases with arrears greater than \$50,000, totalling some \$126.7 million, that have not been actively monitored or enforced. Since 1994, the number of case workers has been cut by 20%, while the number of cases has increased by 50%. It takes an average of seven months between the time support falls into arrears and the time of the office's first enforcement action.

Children and families are suffering because of the former government's inaction. What are you planning to do to make sure that deadbeat parents pay their family support obligations on time so that our children get the justice they deserve?

**Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** I want to thank the member from Brampton Centre because this is an issue that I think is near and dear to the hearts of many individuals in this House. Many of us have worked in our constituency offices over the years with the Family Responsibility Office to try to get support for families in our constituencies. I can't tell you the irony now, being within this ministry to deal with the problems that we have been identifying for the government for so many years.

I want to assure the member from Brampton Centre. In her short days as new MPP for Brampton, she's already received calls about the FRO office, and I am telling her to let her people know that in a very short time, we will see some modest improvements in service for these people. I'm suggesting that within three months we'll see some improvements; within six months, we'll see more. We know that gives us some time to identify our strategy to attack the real problems. My first tour outside of the offices of the ministry was, in fact, to see the Family Responsibility Office, and I was struck by the industrial revolution-type assembly line systems that they have to employ to do their job. This area will not be ignored by this government, and I want assure the member from Brampton Centre of that.

**Mrs Jeffrey:** Minister, I'm glad to hear you're taking this very seriously. However, a constituent in my riding who's struggling to raise her son is in need of support payments from her former spouse—payments that are court ordered, yet the arrears are six months old, with no sign of resolution in the future. Another constituent who's living on a fixed income has been dutifully paying his monthly support, but this month, due to an error somewhere in the system, too much money was deducted from his monthly income and now he's not able to pay his rent.

The auditor states that the FRO is "in grave danger of failing to meet its mandated responsibilities." That's a

damning statement. The former government failed to protect families and children.

Minister, what are you planning to do to ensure that these problems are corrected and families in my riding are able to get the answers they need?

**Hon Ms Pupatello:** I can't stress to this member how urgent it is that we get to the bottom of actually having our staff work on enforcement of the court orders. This is just one example of the numbers of individuals, families and children, who have been forced on to welfare, who should be receiving payments through their spouses. We're going to fix this. We've already introduced some new technologies to free up staff people. We've got to get past 90% of the people who can't get through on the telephone lines, and we're working on that. We have plans to use some very aggressive means so that our people will have the tools required to go after people who aren't paying what justice says they should pay. We're insistent that people shouldn't be on welfare and that parents who should be paying support will pay support. We're determined to fix this, and I hope that all the members of the House are going to work with us to see that this is done.

#### POST-SECONDARY EDUCATION FUNDING

**Mr John O'Toole (Durham):** My question is to the Minister of Training, Colleges and Universities. First, I'd like to extend my congratulations on your recent election and appointment to cabinet. I can assure you, you did beat a very respected member from Scarborough East, Steve Gilchrist. Furthermore, your appointment as Minister of Training, Colleges and Universities reflects your background as a banking executive and former vice-chair of the governing council of the University of Toronto.

Recently, I, along with other members, I'm sure, met with Adam Spence, Paul Yeoman and Graeme Stewart, members of the Ontario Undergraduate Student Association. These young student leaders had several requests. They want the government to make sure that it maintains and improves the quality of education at universities in the midst of a tuition freeze. They also asked for the OSAP maximum to be increased to reflect the current level of expenditures for students in university.

Minister, are you prepared to commit to the requests of these students for the future of Ontario?

**Hon Mary Anne V. Chambers (Minister of Training, Colleges and Universities):** I'm very grateful, but a little surprised, to have received that question from the member from Durham. Thank you for your question. Thank you for giving me the opportunity to share with you the distress that those same students shared with me when they met with me yesterday.

**Hon James J. Bradley (Minister of Tourism and Recreation):** They were worried about the deficit.

**Hon Mrs Chambers:** We actually didn't even get into the deficit, when in fact we could have.

But I think you may want to realize that those students are well aware of the situation that your government has left this province with, a shameful situation, a situation that suggests that your government did not seem to understand that the province would be a lot better off if you had invested adequately, as opposed to insufficiently, in our colleges and universities.

So thank you very much for your question, but I'm really surprised that you would want me to reveal the inadequacy of your support for that system.

**Mr O'Toole:** I would take that as a no, that you aren't going to help the students. I think it's shameful that you've responded with the tried and trivial message of the \$5.6-billion deficit. You either believe in students and are going to invest or you don't. It's that simple.

Furthermore, Minister, on behalf of the students and families—I've had five children. I know that this is a leading question, but certainly in Durham, with the new university, I believe that the new UOIT needs to have your commitment to the ongoing capital required to meet the double cohort at that university and indeed across Ontario. Are you prepared to commit to the students' future, both in the completion of the capital projects that we started and funded as well as the operating funding for students in their full-time education at our universities and colleges?

**Hon Mrs Chambers:** I'm really happy to address the supplementary from the member from Durham. I want to tell you that the McGuinty government's Ontario includes all Ontarians, not just the people of Durham and not just institutions that may have been opened up by your government. Please understand that there are 18 universities and 24 colleges that are publicly funded, and our government, the government of Premier McGuinty, is fully committed to properly supporting every single student in this province who is qualified for post-secondary education. We are committed to accessibility, we are committed to affordability and we are committed to quality, and I don't think you can make the same claim, based on your record.

1540

#### BROWNFIELDS REDEVELOPMENT

**Mr Dave Levac (Brant):** My question is to the Minister of the Environment. Brantford, in the riding of Brant, which I am honoured to represent, is a wonderful and historic city that was known in the 19th century as the heartland of industry. But Brantford is a city in transition and renewal. Parcels of land known as brownfields are lying in waste, waiting for remediation. In order for Brantford to have a sustainable and healthy urban core, these brownfields must be returned to vibrant use, particularly residential, and for those that are surrounding those lots.

What can the minister do in concert with the city of Brantford to ensure the redevelopment of these lands for a healthy, sustainable Brantford of the future. Will you meet with the representatives from our city and the



brownfields redevelopment committee to discuss these brownfield sites and see how we may partner to reclaim these underutilized and often abandoned lands?

**Hon Leona Dombrowsky (Minister of the Environment):** Brownfields are certainly a very important issue. You probably recall that the Premier made a commitment during the throne speech that we are going to do all we can as a government to assist municipalities to reclaim these lands.

These lands are integral for two reasons. They can go a long way in their redevelopment to address urban sprawl. In many municipalities these are serviced lots that are not being utilized. We certainly want to do all we can as a government, and the Ministry of the Environment will do all we can to ensure that municipalities in their development plans can move forward in a way that protects the health of the community and our environment. I would be very happy to meet with any municipality that would like to work with us to do this.

**The Speaker (Hon Alvin Curling):** That is the end of oral questions.

I just want to make a point: The member for Toronto-Danforth approached me with regard to the fact that she was unable to hear herself when she was asking a question, and I have taken it under consideration. There is quite a lot of noise in the assembly today, and I want to say to her that we all have to protect the one who is asking the question and the one who is answering the question. I'm going to ask for more co-operation in the future so I can hear the members very clearly. I could hear her but I'm quite sure many other members here could not hear her.

## PETITIONS

### ADOPTION DISCLOSURE

**Ms Marilyn Churley (Toronto-Danforth):** I have a petition which reads—oh, here is Laura Konkell, the page from Toronto-Danforth. Laura is going to deliver this petition to the table. It reads:

"To the Legislative Assembly of Ontario:

"Whereas existing adoption secrecy legislation is outdated and unjust;

"Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the UN Declaration of Human Rights, and the UN Convention on the Rights of the Child; these rights are denied to persons affected by secrecy provisions in adoption laws of the Child and Family Services Act and other acts in Ontario;

"Whereas 20% of persons in Ontario are directly or indirectly affected by restricted rights to personal information available to other citizens;

"Whereas the adopted person's right to his or her birth identity is rooted in a basic and fundamental human need;

"Whereas most birth parents did not ask for lifelong confidentiality; it was imposed on them involuntarily;

"Whereas research shows that not knowing basic personal information has harmed adopted persons, birth parents, adoptive parents and other birth relatives;

"Whereas research shows that access to adoption information does not cause harm;

"Whereas research shows that unqualified access to information in adoption satisfies the overwhelming majority of the parties involved";—I will now narrow this down a little bit. It also reads:

"We, the undersigned, petition the Legislature of Ontario to enact revision of the Child and Family Services Act and other acts to:

"Permit unrestricted access to identifying information to adoptive parents of minor children...;

"Allow adopted persons and birth relatives to file a notice stating their wish for no contact;...

"Recognize open adoptions in the legislation."

This is a long petition. I will now sign my name because I fully support it.

### TUITION

**Mr Tony Ruprecht (Davenport):** I have received a few more petitions from the Canadian Federation of Students. I know that you're interested in this as well because this is a bona fide, good petition from the students. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas average" student "fees in Ontario are the second-highest in Canada; and

"Whereas average undergraduate" student "fees in Ontario have more than doubled it the past 10 years; and

"Whereas tuition fees for deregulated programs have, in certain cases, doubled and even tripled; and

"Whereas Statistics Canada has documented a link between increased tuition fees and diminished access to post-secondary education; and

"Whereas four other provincial governments have taken a leadership role by freezing and reducing tuition fees;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to" do the following:

"(1) Freeze tuition fees for all programs at their current levels; and

"(2) Take steps to reduce the tuition fees of all graduate programs, post-diploma programs and professional programs for which tuition fees have been deregulated since 1998."

Since I agree with this petition, I am happy to sign my name to it.

### SCHOOL CLOSURES

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):**

"To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty, our newly elected Premier, has publicly pledged to move quickly to re-

establish local democracy when it comes to public education in Ontario; and

"Whereas Mr McGuinty has publicly asked that cuts and school closures should be set aside and that business should be left for the incoming, duly elected trustees; and

"Whereas Mr Gerard Kennedy, our newly elected Minister of Education, has stated publicly that school boards aren't operating as closed shops any more; and

"Whereas there is universal support for the school amongst its staff, parents, student body and the community at large; and

"Whereas Prince of Wales Public School in Barrie is the oldest continuously operated school in Simcoe county; and

"Whereas Prince of Wales Public School has been providing the community with quality education for more than 125 years; and

"Whereas the impact of the closure of Prince of Wales would be devastating on the whole of the downtown core, and most especially the urban neighbourhood which the school serves;

"Be it resolved that we, the undersigned, demand that Dalton McGuinty's government live up to its commitment and ensure that community schools are not forced to be closed and, specifically, that the Liberal government will immediately halt the closure of Prince of Wales Public School in Barrie, Ontario."

I agree with the petition and I affix my signature.

#### PROVINCIAL DEFICIT

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):**

"To the Legislative Assembly of Ontario:

"Whereas the government insists there is going to be a \$5.6-billion deficit;

"Whereas the government campaigned on a 'fully costed plan' that accounted for a \$2-billion deficit;

"Whereas the government campaigned on a 'fully costed plan' that included a \$1-billion contingency fund;

"Whereas the government campaigned on a 'fully costed plan' which included over 230 promises;

"We, the undersigned, call upon the provincial government to take the responsible approach and immediately apply to the projected deficit the \$3 billion the government said they had set aside. We believe this will substantially increase Ontario's ability to balance the books during the current fiscal year and solve the financial dilemma faced by the government."

I agree with the petition and I affix my signature.

#### OPTOMETRISTS

**Mr Rosario Marchese (Trinity-Spadina):** I have a petition from a couple of hundred people. It reads:

"Whereas the Legislative Assembly of the province of Ontario will be considering a private member's bill that aims to amend the Optometry Act to give optometrists the authority to prescribe therapeutic pharmaceutical agents for the treatment of certain eye diseases; and

"Whereas optometrists are highly trained and equipped with the knowledge and specialized instrumentation needed to effectively diagnose and treat certain eye problems; and

"Whereas extending the authority to prescribe TPAs to optometrists will help relieve the demands on ophthalmologists and physicians who currently have the exclusive domain for prescribing TPAs to optometry patients; and

"Whereas the bill introduced by New Democrat Peter Kormos (MPP—Niagara Centre) will ensure that patients receive prompt, timely, one-stop care where appropriate;

"Therefore, I do support the bill proposing an amendment to the Optometry Act to give optometrists the authority to prescribe therapeutic pharmaceutical agents for the treatment of certain eye diseases and I urge the government of Ontario to ensure speedy passage of the bill."

I support this bill.

1550

#### SCHOOL CLOSURES

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):**

This is a petition to the Legislative Assembly of Ontario, which reads as follows:

"Whereas Prince of Wales Public School is the oldest continuously operating school in Simcoe county; and

"Whereas Prince of Wales Public School has been providing the community with quality education for more than 125 years; and

"Whereas the current government has made no commitment in the recent throne speech to ensure the survival of our school; and

"Whereas the current government has made no commitment in the recent throne speech to add one cent of new funding to classroom spending; and

"Whereas the Liberal government's priorities in education seem to be" giving "school boards and teachers' unions more attention than the students in the classroom;

"Be it resolved that we, the undersigned, demand that the Dalton McGuinty government live up to its commitments and ensure that community schools are not forced to close; and that specifically the Dalton McGuinty government will immediately halt the closure of Prince of Wales Public School."

I agree with the petition. I affix my signature.

#### OPTOMETRISTS

**Ms Shelley Martel (Nickel Belt):** I have a petition that's been sent to me by people living in both Emo and Fort Frances. It reads as follows:

"Whereas the Legislative Assembly of the province of Ontario will be considering a private member's bill that aims to amend the Optometry Act to give optometrists the authority to prescribe therapeutic pharmaceutical agents for the treatment of certain eye diseases; and



"Whereas optometrists are highly trained and equipped with the knowledge and specialized instrumentation needed to effectively diagnose and treat certain eye problems; and

"Whereas extending the authority to prescribe TPAs to optometrists will help relieve the demands on ophthalmologists and physicians who currently have the exclusive domain for prescribing TPAs to optometry patients; and

"Whereas the bill introduced by New Democrat Peter Kormos (MPP—Niagara Centre) will ensure that patients receive prompt, timely, one-stop care where appropriate;

"Therefore," we, the undersigned, "do support the bill proposing an amendment to the Optometry Act to give optometrists the authority to prescribe therapeutic pharmaceutical agents for the treatment of certain eye diseases and" we "urge the government of Ontario to ensure speedy passage of this bill."

I agree with the petitioners and I have affixed my signature to this petition as well.

#### SCHOOL CLOSURES

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** This is a petition to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas Dalton McGuinty, our newly elected Premier, has publicly pledged to move quickly to re-establish local democracy when it comes to public education in Ontario; and

"Whereas Mr McGuinty has publicly asked that cuts and school closures should be set aside and that business should be left for incoming, duly elected trustees; and

"Whereas Mr Gerard Kennedy, our newly elected Minister of Education, has stated publicly that school boards aren't operated as closed shops any more; and

"Whereas there is universal support for the school among its staff, parent and student body and the community at large; and

"Whereas Prince of Wales Public School in Barrie is the oldest continuously operating school in Simcoe county; and

"Whereas Prince of Wales Public School has been providing the community with quality education for more than 125 years; and

"Whereas the impact of the closure of Prince of Wales will be devastating on the whole of the downtown core and most especially the urban neighbourhood which the school serves;

"Be it resolved that we, the undersigned, demand that the Dalton McGuinty government live up to its commitment and ensure that community schools are not forced to be closed and that specifically the Liberal government will immediately halt the closure of Prince of Wales Public School in Barrie, Ontario."

I agree with it and have affixed my signature.

#### ORDERS OF THE DAY

##### BUSINESS OF THE HOUSE

Resuming the debate adjourned on December 2, 2003, on the motion by Mr Duncan to apply a timetable to certain business of the House.

**The Acting Speaker (Mr Bruce Crozier):** Further debate? The Chair recognizes the member for Beaches-East York.

**Mr Michael Prue (Beaches-East York):** I'll get right to it. I move adjournment of the House.

**The Acting Speaker:** Sorry. I'm informed by the table that you completed your comments the last time around. It was questions and comments, but perhaps it didn't get—

**Mr Prue:** I had approximately two minutes left.

*Interjection.*

**The Acting Speaker:** There you are. I'll give a minute for the table, but they've given me that information. I'm sorry, that's the way I'll have to rule.

The record shows there was a finish to the debate. Further debate?

**Ms Shelley Martel (Nickel Belt):** I participate in the debate, not with any great pleasure. You would know, because you've been here for some time and maybe other members won't know this, but I have been here now over 16 years. In fact, there are but a handful of people who have been here longer than me, about 10. It's a bizarre situation to be a veteran in this House and only be 40 years old, but that is the circumstance.

I have seen a lot of change in terms of the operation of this House, in terms of people's relationships one to the other in this House, in terms of the business that's been conducted or not conducted. I think that I have to say very clearly that we operate now in a scenario that I find to be really difficult.

I came at a time in 1987 when there was a huge Liberal majority that was elected. I was one of but three members who were elected from the New Democratic Party at that time for a caucus of 19. My colleague, Howard Hampton, was elected at the same time, and we had a former colleague, Mike Farnan, who was elected in Cambridge. It was a huge Liberal majority under David Peterson, and some of those people from that majority are still here today.

I can say, as I reflect on that time, that there were a number of pieces of legislation that we supported that were brought forward by that government. Off the top, I remember that we supported pay equity legislation that came forward in that time. There were a number of finance bills that we supported; there were changes in assessment that we supported.

I also remember that, by and large, for a good portion of that three-year period, legislation was dealt with in a timely fashion. I recall that there was agreement to much of the legislation in terms of timing. There was a recognition that the government was going to get its bill

at the end of the day, given the huge majority, and there was, on many, many pieces of legislation, an agreement among the three House leaders about how much time would be spent in debate, how much time would be spent on committee and how much time would be taken with travel. I think, by and large, things functioned relatively well.

Let me give you an example, with respect to committee, because during that period of time, I was the critic for workers' compensation and the current finance minister was the Minister of Labour. He was responsible for bringing in Bill 162, which was a bill that involved very significant changes to the Workers' Compensation Board.

We in the New Democratic Party made it clear to the government at the very outset that we were opposed to many of the changes that the government was bringing forward. The government understood that. The minister, to his credit, understanding that we were going to oppose this and do whatever we could to oppose it, still agreed to some very significant public hearings across the province. He did that to his credit, because for those of us who were on the committee, it wasn't a lot of fun. It wasn't a lot of fun for some of the Liberal members who are on the government side. But we must have had at least four weeks of public hearings right around the province with respect to that piece of legislation: Chatham, Windsor, London, Sudbury, Thunder Bay, Ottawa—we were all over the place. Not only did we have very significant public hearings, where people on both sides of the issue—injured workers and their advocates on one side and employers on the other—had an opportunity to come and have their say, but when it came time for the clause-by-clause portion of Bill 162, we had quite significant time in committee. I can't remember how much time, but I can certainly tell you it was a whole lot longer than we see being given to bills in clause-by-clause today or, in fairness to this particular government, what we had under the previous regime.

1600

Those are some of my recollections about that three-year period. Despite a very large majority, there was much agreement on the timing and the House business during that period of time. There was a great deal of committee work done. I mentioned Bill 162 because I was the critic at the time, but there was debate that occurred on auto insurance, there was debate that occurred on pay equity, and there was debate that occurred on other labour changes. By and large, there was a fair bit of committee time that was held, not just here at Queen's Park but around the province, so that people could have a chance to have their say.

I look at my experience then, in the first three years, and I look at what is before us today, and I don't think things are changing for the better in terms of politics in Ontario. I think all of us have a share in the blame for that. I regret that we find ourselves in a position now where there is essentially very little committee time allocated to bills. That certainly became the common

practice under the past government over the last eight years, and regrettably I see the government continuing with this practice. How many times in time allocation motions in the last two or three Parliaments under the Conservatives did we see time allocation motions that came forward and allocated perhaps one or two days of committee—one or two days of committee here at Queen's Park, not out on the road hearing from people across the province—and committee time that would occur after the end of routine proceedings and finish by 6 pm?

I sat regularly on Wednesdays in the last Parliament—actually, for the last couple of years—and my colleague Tony Martin and I used to say, "If it's Wednesday, it must be a time allocation day." The Speaker will know that, because he sat on a lot of those Wednesdays, and he remembers that regularly, frequently—

**Mr Peter Kormos (Niagara Centre):** Inevitably.

**Ms Martel:** Inevitably, my colleague from Niagara Centre is quite right, a Wednesday was a time allocation day. Pretty common to the time allocations were either very limited time for hearings only here at Queen's Park, or none at all, and third reading debate that didn't occur at all, or if it did, it might have occurred on a single afternoon. Again and again, Wednesday after Wednesday, time allocation motion after time allocation motion, under the former government, we saw legitimate debate being cut off, being strangled, being choked off, to the point where you really wondered what the point was in the rest of us, who were legitimately elected, being here to try to raise an opposing point of view.

What's interesting is that we weren't the only two, as New Democrats on those Wednesday afternoons, who used to rail against those time allocation motions. I look at Mr Caplan, who is here in the Legislature this afternoon. On more than one occasion on those Wednesday afternoons, Mr Caplan was on his feet. He was railing against the Conservative government. He was talking about the breakdown in democracy. He was talking about what a Liberal government would do, if elected, to restore democracy in this place.

He had a great deal to say about how undemocratic the Conservative government was, about the jackboot tactics the Conservative government was using time and again, Wednesday afternoon after Wednesday afternoon, to shut down legitimate debate.

It didn't matter what the issue was. If it was education legislation, if it was finance legislation, if it was labour legislation—although in the case of labour law, the government didn't have much debate on very many issues. I remember the Conservative government repealing the law we had brought into place to ban scabs, a law I'm very proud of. I remember the Conservative government shut down that debate very quickly. There were no public hearings. There was not much debate on third reading. It was over. Done.

**Mr Kormos:** Did the Liberals care?

**Ms Martel:** Well, it's true that the Liberals didn't care very much about the repeal of the anti-scab law, because



the truth is that when we brought the bill forward, both the Conservatives and the Liberals voted against our bill to ban scabs. So they had the same point of view, the same philosophy, the same position on that very important piece of labour legislation.

I find that regrettable because—and I'll give you a very clear example—in the last three years in my community alone, Sudbury-Nickel Belt, we've had four very significant strikes. In every case, scabs were used by the employers from day one.

There was the case beginning in August 2000 at Falconbridge: Mine-Mill workers were faced with scabs the day that strike started, August 1, 2000. That strike went on for well over six and a half months. I can tell you that strike was prolonged because there was no incentive for the employer to get back to the negotiating table and bargain a contract. There was no impetus, because he—I use that generically to refer to Falconbridge—could bring in scabs, and did right from the get-go, and still continue work at the smelter and some ongoing production.

There was a second strike that occurred at Sudbury Downs. Again, from the get-go, scabs were in place during that three and a half week strike. The employer brought them in from day one that that strike started. Again, there was very little incentive on the part of the employer to negotiate. Why should they when they could bring in scabs?

**Mr Kormos:** —sees a motion coming.

**Ms Martel:** What kind of motion?

**Mr Kormos:** Well, to adjourn the debate.

**Ms Martel:** OK, let me just finish with the scabs.

Two other points, because I want to finish this part of my remarks with respect to scabs. There was a strike as well at a place called Marona Kitchen, a very small operation—13 months. The bargaining unit went in there in the first place because there were serious concerns about health and safety. After 13 months, with the employer using scabs from day one, that strike was finally ended. Frankly, the union was broken as well because of the changes that government had made around decertification.

The fourth one involved the Sudbury Star—my colleague Mr Kormos was on that picket line with me last March—and again from the get-go, the publishing company, Osprey, had scabs in doing the work of people who were legitimately on strike. In the case of the Sudbury Star, they were in fact locked out. They didn't even have a chance to vote on a strike; the employer locked them out before that could even happen.

I remember that we had much consultation on that bill, over 18 months of consultation with respect to that change and changes to the Ontario Labour Relations Act. When the Conservatives came to power, there was no consultation and no public hearings. After seven hours, that bill was repealed. It was done and over with.

On that note, Speaker, at this point I move adjournment of the debate.

**The Acting Speaker:** Ms Martel has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30 minute bell

*The division bells rang from 1609 to 1639.*

**The Acting Speaker:** All those in favour, please stand.

Take your seats.

All those opposed, please stand.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 6; the nays are 37.

**The Acting Speaker:** I declare the motion lost.

Further debate?

**Ms Martel:** We're dealing with government order number 3. We've resumed the adjourned debate on a motion that was put forward by Mr Duncan, which essentially applies a timetable to the business of the House.

I know that people from the Liberal Party have tried not to refer to it as a time allocation motion. Frankly, it is the mother of all time allocation motions, because it deals with three pieces of legislation, one of which had not even had two days of debate; it deals with an opposition day; and it deals with two government motions as well, something we have not seen in this House, certainly in the time that I have been an MPP, which is over 16 years now.

I want to talk about the motion itself, but I think I need to just go back a bit and set the stage so that people understand how bizarre it is that we would see a Liberal government move forward with such a motion—I say the mother of all time allocation motions—when some of these very people had so much to say against the same kind of thing when it was perpetrated on us by a former Conservative government.

I look, for example, at what Mr Duncan had to say on December 9, 2002. We were dealing at that time with another time allocation motion moved by the Conservatives, and Mr Duncan said the following:

"I'm always reminded that previous governments, whether the NDP government of Mr Rae or the Liberal government of David Peterson or indeed the Conservative government of the great Premier William Davis, rarely, if ever, used time allocation—rarely, if ever."

"Peterson used it twice. I believe Mr Rae was in the magnitude of 10 or 11 times. Mr Davis, with his mandates, both minority and majority mandates, rarely used the tool either."

That was Mr Dwight Duncan railing against the Conservatives moving time allocation on December 9, and here we are. We haven't even sat for two weeks and we've got Mr Dwight Duncan, Liberal House leader, moving the mother of all time allocation motions in this House, a precedent that we have not seen, a precedent which has now been set as a result of the Speaker's

ruling—a ruling that I feel is very difficult to accept, but a ruling that has been made by the Speaker nonetheless.

That's what Mr Duncan had to say when he railed against it, and here he is in a Parliament, where we've sat for less than two weeks now, doing less than that in terms of business. We had the election of the Speaker, of course, and we had the throne speech, and one Mr Dwight Duncan has come in here and just landed on this House with the jackboot motion of all time to shut down debate.

He's not the only one who had something to say about these kinds of time allocation motions. Here's one from December 3. We were dealing with a time allocation motion that day—it probably was a Wednesday—December 3, 2001. Mr McMeekin, the member from Ancaster-Dundas-Flamborough-Aldershot, said, "I'm also pleased to join in this important debate." It was the debate about the time allocation motion, and he said, "A very wise man once said, 'You don't know what you've got until you lose it.' In these troubling times, we must be particularly vigilant to affirm our most precious democratic freedoms, because compromising core components of our healthy democratic process is very dangerous indeed, and we've seen a lot of that the last week."

Where is the member? Here we are today, with his Liberal House leader moving the mother of all time allocation motions, and he's got nothing to say about how dangerous that is, how wrong that is and how his government shouldn't be doing it. The same member who used to rail most recently against the Conservatives is silent, is just complicit with the tactic that is being used here today, which is essentially to shut down debate, not just on one bill but on three bills, on an opposition day and on two government motions.

And let us not forget Mr Bradley, who has been here longer than I, who has been here a very long time indeed. Here is one example, December 3, 2002: "If the Eves government is not called to account in a very public and prolonged manner, how can Ontario citizens have any hope that a fair and vibrant democracy can exist in that province?" How indeed can they have any hope? "The Eves crowd has rigged the procedural rules of the Legislature to ensure complete control of the parliamentary process and timetable, and uses its majority to choke off debate and shut out the public. Does anyone care?" I've got to ask Mr Bradley, does he care? It was OK when he was on this side to rail against a big Conservative majority when they were choking down debate. Where is he? Why isn't he standing in his place? Why isn't he condemning his House leader and his leader, Mr McGuinty, for the very same tactics that he used to rail against when he was over here in the opposition? Somehow, it's OK that the McGuinty crowd can come forward with a time allocation motion to choke off debate and shut down the democratic process. It sure wasn't OK when he was over here. What has changed?

We have a motion before us. Not only does it allocate one bill; it allocates three. It tells the opposition when

they have to have their opposition day, which is going to be next Wednesday, December 10.

It shuts down debate on two debatable government motions, which would have allowed us two or three days of debate, and the government has nothing to say. The government thinks it's OK. The Liberals, who had so much to say about how undemocratic this was, think it's OK. I guess that was then and this is now.

In conclusion, I think I should move adjournment of the House.

**The Acting Speaker:** Is it the pleasure of the House that the motion shall carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 1648 to 1718.*

**The Acting Speaker:** All those in favour, please stand.

OK, take your seats.

All those opposed, please stand.

You may take your seats.

**Clerk of the House:** The ayes are 5; the nays are 35.

**The Acting Speaker:** I declare the motion lost.

Further debate?

**Mr John O'Toole (Durham):** I, for one, am basically a member of the opposition. I believe we each have a duty here in the House. We have been discussing what's been referred to as the mother of all time allocation motions. It's a program motion that really exceeds anything that we did when we were government.

If I look over the Hansard record, which I have, in preparation for these few remarks—the two 20-minute remarks—the three bills, it's my understanding, are being referred for further discussion in many cases. There's been considerable debate, looking through the Hansard records, and it's my understanding that the government moved this substantive time allocation motion, and the opposition are of some accord on this. It seems that the rump of individuals now referred to as the third party or the NDP party are really interfering with the procedures.

**The Acting Speaker:** Point of order?

**Mr Kormos:** Yes, I suspect more so with respect to syntax and grammar: To speak of the NDP party is a redundancy. It's either the New Democratic Party or the NDP, Mr O'Toole.

**The Acting Speaker:** That's not a point of order.

**Mr O'Toole:** I might have been referring to—the Marilyn Churley-NDP was what I was referring to.

But with your indulgence, I beg leave that the question now be put.

**The Acting Speaker:** Mr O'Toole has moved that the question be put.

Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 1721 to 1751.*



**The Acting Speaker:** Mr O'Toole has moved that the question now be put. All those in favour, stand one at a time until recognized.

#### Ayes

Agostino, Dominic	Duguid, Brad	Phillips, Gerry
Arthurs, Wayne	Duncan, Dwight	Qaadri, Shafiq
Baird, John R.	Flynn, Kevin Daniel	Racco, Mario G.
Berardinetti, Lorenzo	Fonseca, Peter	Ramal, Khalil
Bountrogianni, Marie	Gravelle, Michael	Ruprecht, Tony
Bradley, James J.	Jeffrey, Linda	Sergio, Mario
Broten, Laurel C.	Kennedy, Gerard	Tascona, Joseph N.
Cansfield, Donna H.	Lalonde, Jean-Marc	Wilkinson, John
Caplan, David	Levac, Dave	Wong, Tony C.
Colle, Mike	Marsales, Judy	Wynne, Kathleen O.
Cordiano, Joseph	Mossop, Jennifer F.	Zimmer, David
Delaney, Bob	O'Toole, John	
Dhillon, Vic	Peterson, Tim	

**The Acting Speaker:** All those opposed, please stand and be recognized.

#### Nays

Bisson, Gilles	Kormos, Peter	Prue, Michael
Churley, Marilyn	Marchese, Rosario	

**Clerk of the House:** The ayes are 37; the nays are 5.

**The Acting Speaker:** I declare the motion carried.

On December 2, Mr Duncan moved government notice of motion number 13. Is it the pleasure of the House that the motion carry?

Those in favour, please say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 1755 to 1825.*

**The Acting Speaker:** Mr Duncan has moved government notice of motion number 13.

All those in favour will stand one at a time and be recognized.

#### Ayes

Agostino, Dominic	Duguid, Brad	Peterson, Tim
Arthurs, Wayne	Duncan, Dwight	Phillips, Gerry
Baird, John R.	Flynn, Kevin Daniel	Qaadri, Shafiq
Berardinetti, Lorenzo	Fonseca, Peter	Racco, Mario G.
Bradley, James J.	Gravelle, Michael	Ramal, Khalil
Broten, Laurel C.	Jeffrey, Linda	Ruprecht, Tony
Cansfield, Donna H.	Kennedy, Gerard	Sergio, Mario
Caplan, David	Klees, Frank	Tascona, Joe
Chambers, Mary Anne V.	Kwinter, Monte	Wilkinson, John
Colle, Mike	Marsales, Judy	Wong, Tony C.
Delaney, Bob	Mossop, Jennifer F.	Wynne, Kathleen O.
Dhillon, Vic	O'Toole, John	Zimmer, David

**The Acting Speaker:** All those opposed will rise one at a time and be recognized.

#### Nays

Bisson, Gilles	Kormos, Peter	Prue, Michael
Churley, Marilyn	Marchese, Rosario	

**Clerk of the House:** The ayes are 36; the nays are 5.

**The Acting Speaker:** I declare the motion carried.

It being past 6 of the clock, this House is adjourned until 6:45 of the clock.

*The House adjourned at 1827.*

*Evening meeting reported in volume B.*

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**Thursday 4 December 2003**

**Jeudi 4 décembre 2003**



Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 4 December 2003

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 4 décembre 2003

*The House met at 1845.*

### ORDERS OF THE DAY

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I propose to make a point of order regarding this motion, to whittle its orderliness and, with respect, in view of the fact that the Chair will have to rule on that point of order, and that the point of order will basically be addressing the motion and asking the Chair to find that the motion is invalid and that you are the subject of that motion, I put to you that it would be appropriate for you to step aside and find yourself another Speaker to hear the point of order. That's my first point of order.

**The Acting Speaker (Mr Bruce Crozier):** To the member for Niagara Centre, I think it would be more appropriate if the motion were put first, before you brought any points of order to it. At least the motion can be put.

**Mr Kormos:** Thank you, Speaker. I was merely following the direction that Speaker Curling provided earlier this week.

### APPOINTMENT OF HOUSE OFFICERS

**The Acting Speaker (Mr Bruce Crozier):** Government House leader, would you read the motion?

**Hon James J. Bradley (Minister of Tourism and Recreation):** If they will hand me the motion, I will read the motion. Thank you very much. The motion reads as follows:

That Bruce Crozier, member for the electoral district of Essex, be appointed Deputy Speaker and Chair of the committee of the whole House; that Ted Arnott, member for the electoral district of Waterloo-Wellington, be appointed First Deputy Chair of the committee of the whole House; and that Joseph Tascona, member for the electoral district of Barrie-Simcoe-Bradford, be appointed Second Deputy Chair of the committee of the whole House.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I repeat, sir, that I'm going to make a point of order which will ask the Chair to rule on the orderliness of this motion. In view of the fact that you are the subject matter of the motion, my first point of order is that you should remove yourself from the chair and invite a substitute to take the chair. That's my first point of order that I ask you to rule on, please, Speaker.

**The Acting Speaker:** With the member suggesting that I would be unfair in the chair, I can see the reason for his point of order. I think I'm an honourable member. I don't see that I need to rescue myself from the chair. If it reached a point where I felt that that was the case, then I would do so.

**Mr Kormos:** Thank you kindly, Speaker.

This motion I put is put to you in consideration of standing order 4, in accompaniment with standing order 5. I appreciate that standing order 4 indicates that "a member shall be appointed ... to be Deputy Speaker and Chair of the committee of the whole House."

Now that, if it were all that the Parliament had to deal with, would stand and speak for itself, but I take notice of the Legislative Assembly Act, which of course is statute, and the Legislative Assembly Act, subsection 28(1), says, "The assembly"—that's us—"at its first meeting after a general election shall proceed to elect"—elect—"one of its members to be Speaker and one of its members to be Deputy Speaker."

1850

Now, I anticipate any number of responses: "It's always been done this way." Well, the response to that—and Speaker Curling reinforced that just the other day when he ruled on a point of order I made—is that there is virtually little the House cannot decide to do on unanimous consent. But, you see, we have a conflict here between the standing order and statute—law. A standing order is a self-adopted procedural regime of this House.

I ask you to refer to Marleau and Montpetit, in particular to page 218. Marleau, respected author, talks about the hierarchy of laws. And just as standing order is subservient to statute, statute is subservient to constitutional law. We do not have here an issue of constitutional law, but we do have a conflict between statute and standing order. Marleau states very specifically and explicitly that standing order is subservient to law.

Now, it's not as if this was some overlooked section in the Legislative Assembly Act, because as you know, Speaker, the Legislative Assembly Act was amended in 1999, as a result of the change in definition of "recognized party." I didn't bring that amendment; the government of the day did. And it being amended implies very much that the statute was under review. So again, to the prospect of an argument that somehow this is a mere oversight, that section 28 has become redundant by misuse, I say no, that can't be the case.

So there you are, Speaker. The law says we have to elect not only the Speaker, which we've done, albeit an acclamation, but we have to elect one of the members of



this House to be Deputy Speaker. This motion purports to appoint one by way of motion. That is not an election. An election is clearly one of ballot. In the standing orders there's an outline, a procedure for how an assembly elects one of its members. The motion is clearly a process of appointment; I don't quarrel with that. Unfortunately, we do not have the power, short of unanimous consent, to appoint a Deputy Speaker. We have to elect one.

I leave it at that, sir. It's short, it's very precise and I think it's self-evident. Unless it's done by unanimous consent, the law—not standing orders, but the law—requires this assembly to elect its Deputy Speaker. An appointment by motion is not an election. An election is done, as we know, with ballots in secrecy and a counting of those ballots, subject to there being a contest; otherwise, it's an acclamation.

**Mr John R. Baird (Nepean-Carleton):** The member for Niagara Centre is correct: There is a difference of opinion between the standing orders, section 5, and the Legislative Assembly Act, subsection 28(1). I think we amended the standing orders in 1997. Five minutes after we amended them, we amended them a second time, and then we amended them again in 1999. The most recent amendments, in 1999, for example, gave official party status to the New Democratic Party. Where the voters did not, the Legislature did—

**Ms Marilyn Churley (Toronto-Danforth):** There were 130 seats instead of 103 then.

**Mr Baird:** —and I supported that, I say to the member from Toronto-Danforth.

I would submit that the standing orders take precedence in this chamber, in the parliamentary setting, by the ruling of Speaker Curling just this week that Parliament itself sets the way it will conduct its affairs through the standing orders, and that has not just equal precedence with the Legislative Assembly Act but would have greater precedence to that. So section 5 of the standing orders is fully in order.

The government did seek the advice of my House leader, the only individual who is a House leader of a recognized opposition party, with respect to this motion, and it is in fact following tradition that up to two, and two has been the practice, is reflected in the motion. I would submit that the standing orders would take precedence. The standing orders have been amended far more often and with far greater regularity, not just since 1997 but indeed since the late 1980s. I would submit that the standing orders would take precedence over the Legislative Assembly Act and that the motion is in order. The official opposition believes that the motion is in order and would look forward to having the opportunity for the House to render a verdict on the substance of the motion through a decision.

**Hon Mr Bradley:** Mr Speaker, upon reviewing the rules, I certainly must concur with the member for Nepean-Carleton in his interpretation, particularly on the ruling that has been made by Speaker Curling. Clearly it says, in section 5, "On the advice of the House leader of each of the recognized opposition parties in the House

given to the government House leader, up to two of the four presiding officers of the House shall be chosen from the recognized opposition parties." That is, I think, clear to all members of the House. It is in keeping with the ruling of Speaker Curling as to which of the parties in the House are recognized parties, and I believe we should proceed with the substance of the debate this evening.

**Ms Churley:** Mr Speaker, I would ask the acting House leader for the government tonight to refer to House of Commons Procedure and Practice—Marleau—where it says, just before "Speakers' Rulings"—and listen very closely to this, Mr Speaker; I'm quoting directly—"In the hierarchy of parliamentary procedure, just as statutory provisions cannot set aside constitutional provisions, standing orders cannot set aside statutory law. Only Parliament can enact or amend statutory provisions; the House of Commons can adopt its own rules as long as they respect the written Constitution and statutory law."

I put to you, Mr Speaker, that this precedent, this ruling, is very clear that the standing orders in this place cannot override actual constitutional provisions. I suggest that you take a look at this as a precedent already set. I put to you that it's important that we have a ruling tonight that allows this House to determine who its Deputy Speaker is going to be by a secret ballot.

**The Acting Speaker:** Member for Nepean-Carleton, briefly.

**Mr Baird:** I will be very brief, and I appreciate the opportunity. I would invite you also to look at precedent. I think every year this House has considered a motion, not an election, particularly with respect to a rotation between the three individuals serving under the Chair, and I would ask you to look at the precedent. Going back, certainly during my complete eight years here, that's always been the practice.

**The Acting Speaker:** The member for St Catharines, briefly.

**Hon Mr Bradley:** The statute does provide for an election—we recognize that—but the particular form of the election is provided for by sections 4 and 5 of the standing orders and by the precedents of the House. In my 26-plus years in the Legislature, I can always recall the precedents are such that the way the government motion reads this evening is the manner in which these officers have been appointed, including the member for Toronto-Danforth when this House chose to elect her, as it did, as one of the Deputy Speakers, in its wisdom.

**Mr Kormos:** I don't want to persist at this, but I keep getting provoked by the recurrent responses of others.

Look, we've got standing order 3, where it says, "The election of the Speaker"—that's an election—"shall be conducted in the following manner...." And then you've got standing order 4, which talks about the appointment of, for instance, a Chair of the committee of the whole House. This is the standing orders. So clearly an election is different from an appointment—an election means one thing, an appointment means another—and clearly the Legislative Assembly Act takes precedence, and clearly the Legislative Assembly Act talks about "election" rather than "appointment."

1900

**The Acting Speaker:** I thank the members for their comments and for their advice.

The member for Niagara Centre would know that the Chair can't rule on statutes of law. This Chair has to be guided by the standing orders of the Legislature. I've reviewed standing orders 4 and 5. From memory, I can recall that this motion has been made before and that a precedent has been set. I have read the motion and I see no reason to rule it out of order.

**Mr Gilles Bisson (Timmins-James Bay):** On a separate point of order, Mr Speaker: So, if I'm clearly to understand, where we're at now is that the Speaker of the House doesn't have to follow statute by way of law and we in this Parliament don't have to follow the laws of Ontario or the Constitution any more, if I understand what you're telling me. We can do what we want by way of standing orders: disregard the Constitution—

**Mr Baird:** The courts enforce the law.

**Mr Bisson:**—disregard the constitution of the province of Ontario, and disregard the Legislative Assembly Act, which is an act that sets out our authority here in Parliament. It's kind of bizarre.

**The Acting Speaker:** Any other comments?

To the member, I just said that the Chair can't rule on statutes of law, but the Chair can on the standing orders. The standing orders before me have been followed for many years; the precedent has been set. I see no difference in this motion than any motion that has been made previously.

Debate on the motion?

**Hon Mr Bradley:** The individuals whom we hope will be assuming these positions are individuals all of us are familiar with, and we are confident in their ability to carry out their responsibilities appropriately.

Mr Tascona has been a member of this House now into his second or third term—

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** Third.

**Hon Mr Bradley:** His third term, he points out to me at this time. He is familiar with the rules of the Legislature. He's familiar with the traditions and the precedents of this Legislature. He has demonstrated on many occasions that he has the ability to carry out these responsibilities appropriately. We have full confidence in his impartiality as he assumes the position for which he has been elected. Although they may want to speak for themselves, I certainly think I speak on behalf of my colleagues in the Liberal caucus—the government, in this particular case—in expressing confidence in Mr Tascona's election to this position.

In addition to that I would say, similarly, that we have in you, Mr Crozier, the member for Essex North, Essex-Kent—

**Mr Crozier:** Essex.

**Hon Mr Bradley:**—and just plain Essex now, which is really good; it's all of Essex. It used to be separated. You have been a member of this House for a number of years. Again, you are familiar with the procedures gov-

erning this House, those being the standing orders that govern this House.

Likewise, I have full confidence in Mr Arnott, as an experienced member of this Legislature and as one who has demonstrated the ability to be impartial when his responsibilities call for that. He is an esteemed member of this Legislature.

I believe that with the three individuals named in this motion, in fact we will have a House about which we all—we have confidence in all these individuals. You being in the chair at the present time, Mr Crozier, the member for the electoral district of Essex, I think seeing you as the Deputy Speaker and Chair of the committee of the whole House—I would be surprised if there would be any in the House who would not have full confidence in your abilities to carry out these responsibilities. In addition to this, Ted Arnott, member for the electoral district of Waterloo-Wellington, as the First Deputy Chair of the committee of the whole House: I know of no one whom I've ever heard in this House express a dissenting view as to the ability of that individual to carry out his responsibilities; and of course Joseph Tascona, member for the electoral district of Barrie-Simcoe-Bradford, as the second Deputy Chair of the committee of the whole House. All of these individuals are I think very capable of doing the job.

We know that it is difficult to be placed in a position where one has to make rulings, but we know that each of these individuals is prepared to and has spent some considerable time familiarizing himself with the rules that govern debates and procedures in this House.

I think it's important that all of us have confidence in these three individuals. I certainly would be surprised were I to hear any member rise in the House today to express a view other than the fact that these individuals can deal with their responsibilities in an appropriate fashion. All of you will have been elected, if that is the will of the House this evening, in the same manner as others have been over the years that I have been in this House, including the now member for Toronto-Danforth, who was hailed, when she was elected to this position, as one who we felt had all of the qualifications to be a person who could sit in the chair and preside appropriately. I know she was pleased on that occasion to be elected in the manner that she was, which is the same manner in which they are to be elected this evening.

I heard an intervention from the member for Nepean-Carleton when he mentioned that statutes are dealt with by the courts, and that the standing orders are dealt with by the Speaker of the House. I thought I heard him make that interjection a little while ago. He has certainly familiarized himself with the rules governing this House because he was the author of some proposals that were put before the Legislature for a change to the procedures and standing orders of this House. He suggests this evening that I ask for unanimous consent to revert to the 1995 rules. I don't think I will be able to do that this evening because I am dealing with this particular motion, but it is intriguing. It is tempting on certain days to go



back to those rules that were in place at that time. Nevertheless we will not.

When we think of all the rule changes that have taken place, perhaps the most Draconian, as I deal with rules this evening and those who have to preside over the rules, were those that were placed in effect in 1993 by the then government House leader, David Cooke, member for Windsor-Riverside, a member of the New Democratic Party government of Bob Rae. Some of the members who are here this evening were part of that government that agreed to those changes to the laws governing this House, in fact procedures which made it much more difficult for members of this assembly to carry out their responsibilities in a fashion to which they were accustomed. I certainly know that some of the members who sit in the New Democratic Party seats at the present time probably, upon reflection today, would recognize the Draconian nature of the changes to the rules that were made on that particular occasion.

1910

I only wish I had the Hansard before me tonight, where I could read some of the speeches of the New Democratic Party government members of the day who defended those rule changes, because what in effect started to happen—I want to make reference to this because I want to express some sympathy to the members elected as New Democrats to this House in some of their procedural antics this afternoon, not necessarily on bills but this afternoon.

What happened under the rule changes under Mr Cooke—although he was not a member of the House, the member for Nepean-Carleton would have had an interest in the Legislature at that time and been familiar with—

**Mr Baird:** I was working with Mulroney then.

**Hon Mr Bradley:** He was working with the Mulroney government on that occasion, as a Mulroney staffer.

I can say that were he to examine those rule changes, he would agree with me that the changes really restricted the members of this House in their ability to carry out their responsibilities.

My good friend the member for Niagara Centre engaged in what, south of the border, is called a filibuster; that is, he spoke at some length on the auto insurance bill of the day, and here we are back dealing with auto insurance again. He was making what he believed to be—and there were many who agreed with him—a compelling argument against the legislation that was advanced on that occasion. Certainly he had a lot of sympathy within the legal community, who thought their rights to be engaged in court proceedings were being restricted severely by that legislation. Unfortunately, when Mr Cooke brought in his changes to the rules of this House, they would have prevented the member for Niagara Centre, who was then the member for Welland-Thorold, from engaging in a lengthy discussion of the specific issues of the day.

How does that shake down? Well, that shakes down to the fact that as a result of restricting the length of time of speeches, what in essence happens now is that opposition parties unhappy with proceedings in the House are com-

pelled to engage in sometimes extraparliamentary antics or unusual motions or actions within this House, and I attribute that not to their desire to do so but to the fact that, for instance, my friend the member for Trinity-Spadina, who waxes eloquent on many occasions in this House, is limited to 20 minutes in his speeches most of the time, sometimes 10 minutes, when indeed, against a motion of some kind or a bill of some kind, he may feel that an hour and a half would be better to be able to put all the points in place in front of not only the members of the assembly but the people who are watching on television.

Therefore I say that this motion that is before us this evening is deserving, I believe, of the support of all members of the House, and I certainly urge them, although all members will have their own views, to support this motion, which is routine in nature, which is a common procedure that we have used and which will result in three honourable members being placed in positions of responsibility in this House.

**Mr Baird:** This is an historic night for two reasons. First, I think it's the first time we've ever debated a routine administrative motion of this nature. Second, it's the first time the member for St Catharines has ever left 15 minutes on the clock—ever.

**Mr Tascona:** Yes.

**Mr Baird:** The member from Barrie agrees with me.

I'd like to say I'm pleased to debate this, but I'm not. Bruce Crozier—great guy. Ted Arnott—great guy. Joe Tascona—another great member. I would be surprised if anyone would argue about their competence or capacity to assume their responsibilities with respect to the three jobs in front of us. But I didn't come here to debate this. Taxpayers in my riding, citizens who are concerned about their quality of life, about their health care, about their education, about their overcrowded schools, about waiting lists in health care, about the fear of crime in their communities, about the environment and the supply of energy, about how this government is proposing a big tax increase, the biggest tax increase in the history of Ontario—that's what they want us to be debating, the issues that are important to them.

I'm sure the member for St Catharines would much rather be talking about the shortage of ophthalmologists in Niagara and about his friend Conrad Black and the current predicament he finds himself in. But we're not; we're debating a routine motion. I understand why we're in a position where we're debating it. Frankly, I'm on record as supporting official party status for the New Democratic Party. I said last night, and I'll say it again, only two people seem to disagree with that: the government House leader and the Ontario electorate. I feel it's unfortunate that we have to spend an inordinate amount of time debating these routine issues, ones which perhaps should not be spoken to at great length unless there's a reasonable objection, which I know, Speaker, you'll be interested in hearing and I'll be interested in hearing if it comes out in debate later this evening.

Having had the opportunity to work with these three members for the last eight years, I've found at times,

Speaker, you can be a bit of a hothead. But generally speaking, you're a pretty good guy. You've exercised good judgment both in committee and in the House. You have a passion, like we all do, for dealing with issues, and I think you'll be able to exercise reasoned judgment in the position of responsibility as Deputy Speaker. The member for Waterloo-Wellington I know to be a thoughtful, decent person. He can be rather unmoveable, unflappable on some issues where I'd prefer he was on my side when we have debates in caucus, but he cares deeply about the people and the values of the people who sent him here. The member for Barrie-Simcoe-Bradford—I think the landslide majority that he received when the tide went out in the recent election speaks volumes to the confidence that the people who know him best have in him. Certainly that confidence is well placed, and I've had the chance to work with him.

I'm going to leave my comments at that, because I want to talk about the important issues. I want to talk about the fact that Dalton McGuinty looked into the TV cameras, looked into everyone's living room and said, "I won't raise your taxes." He looked into people's eyes and said, "I won't raise your taxes." I got a copy of the commercial, and I must have missed the little asterisk where he said, "I'm not going to raise your taxes unless you're a smoker, unless you run a small business, unless you're a senior, unless you're a parent who cares about religious education or an independent education for your children." He didn't look into people's eyes and say that he wanted to raise taxes. That's the issue people want us to debate instead of this motion—you know, broken promises. Breeding cynicism in the political process and in politicians: That's what this government is all about. I think that's a real disgrace.

My taxpayers in Manotick, Metcalfe, Osgoode, Rideau, Goulbourn, Stittsville, Ashton, Bells Corners, Lynwood Village, Country Place, Craig Henry, Arlington, Kenmore, Vernon, Edwards—they want me to talk about the important issues of the day. They want me to talk about how these folks opposite, some of them even beside me, said, "I promise to maintain the energy cap." It would be illegal for someone who was working for a corporation or a company to go door to door and promise people a price on electricity and then not deliver. These members opposite would call them fraud artists and con men, and they would want us—

**Mr Dave Levac (Brant):** On a point of order, Mr Speaker: I believe the member used terminology that we've been discussing for quite some time that's not appropriate in this place: "fraud."

**The Acting Speaker:** The member was referring to somebody going door to door.

Would the member continue and just keep—

**Mr Baird:** Speaker, you're right, good ruling. That's another reason why you should be the Deputy Speaker—wisdom. Many in your own caucus, I know, call you the wise helmsman of the Legislature.

**The Acting Speaker:** That may be out of order.

**Mr Baird:** I know the member for Brant's IQ goes up a few points when he's sitting near you, Speaker.

I was talking about energy, about the things that my constituents would rather we were debating. I was talking about how if people working for a company went door to door and promised people something in exchange for a commitment to a fixed price for electricity and then received consideration, they'd be fraudsters, they'd be criminals and they would be in jail.

1920

**The Acting Speaker:** I would remind the member that he is speaking to motion 10, so try to keep within some broad parameters.

**Mr Baird:** Thank you, Speaker.

That's what they would call them. But there was another group of people knocking on doors around Ontario, making promises, asking for consideration, preying on the seniors of this province—vulnerable people—preying on parents of little children. They too promised them a fixed price for electricity, and they gave them something in return.

*Interjection.*

**Mr Baird:** You know whom I'm talking about. Is that criminal? Is there any criminal investigation going on? Is there any consumer protection? Is Jim Watson, the Minister of Consumer and Business Services, on their case? No, they're not, but they should be. I think that's unfortunate. There should be no place for fraud and con artists in Ontario, if it's in the energy sector or in other sectors. We're going to be talking about that.

The member for Trinity-Spadina is here. I like the member for Trinity-Spadina. He's a good member. He has associated himself with some unsavoury characters of late. I must admit, they were saying the member for Trinity-Spadina was toast. Did he whomp his opponent in the election.

**Mr Rosario Marchese (Trinity-Spadina):** Whacked.

**Mr Baird:** Whacked. It wasn't even close. I was surprised, because I actually liked the Liberal candidate who ran against him. The Tory candidate who ran against him was even better than both of them—Helena Guergis ran a great campaign.

**Mr Marchese:** I liked Helena.

**Mr Baird:** He liked Helena too. Helena was a great candidate, and undoubtedly she will be the secret surprise attack for the member for Trinity-Spadina at the next election campaign in that great Tory riding of Trinity-Spadina. We hide the Tories there. We're going to bring them out at a time of our choosing.

*Interjection.*

**The Acting Speaker:** Order. I'd like the member for Nepean-Carleton to at least direct his remarks through the Chair—

**Mr Baird:** Yes, Speaker.

**The Acting Speaker:** —but also to move back to the motion, please.

**Mr Baird:** You're right, Speaker. I can't really debate this motion any more, because you can't debate great



qualifications. You can't debate the great qualifications of Joe Tascona, the member for Barrie-Simcoe-Bradford.

You could debate the ideology of the member for Waterloo-Wellington, as we have on many occasions. We respect each other, because he is always honest and upfront. He stands up for what he believes in. He is more progressive than conservative, shall I say? But he's always upfront and honest about his political philosophy. When he wanted to stand up for volunteer firefighters, the double-hatters, I stood with him. Some of the Liberals stood with him, except for when the vote came. Then they scurried into the back room.

The member for Waterloo-Wellington also has a great resolution on the order paper—the 25-year debt repayment plan—that the new Speaker will have to rule on, another great initiative brought forward by that hard-working member, which we look forward to debating. I know the members opposite will want to pass that.

Do you know what? You can pass it. You can support it. You can promise to do it. And if you change your mind later, it doesn't matter. You can just go back on your word. That's not a problem.

I've debated this far too long. I look forward to debating the real issues that are important to the public policy agenda of the people of Ontario. While an important motion, it's a routine administrative one that's never been debated in recent memory.

**The Acting Speaker:** Further debate?

**Mr Kormos:** On a point of order, Mr Speaker: As I understand it, the leadoff is completed.

**The Acting Speaker:** The clock should be set at 20 minutes.

**Mr Dominic Agostino (Hamilton East):** Speaker, I'll split my time with the member from Pickering-Ajax-Uxbridge.

I concur in some of the earlier comments made by my friend from Nepean-Carleton as to the quality and integrity of the individuals who are in front of us—Mr Tascona, Mr Arnott and Mr Crozier—distinguished parliamentarians, people who have been here, who know the rules and know how the Legislature operates and who would be worthy of the position of Deputy Speaker.

I am somewhat surprised that we're debating this. I think it is quite unprecedented. It was an agreement reached by the two recognized parties as to who it would be. That is traditionally the way it has worked here. It has been by the recognized parties in the House, as it was in 1999, when the member for Toronto-Danforth was one of the Speakers from one of the recognized parties in the House, and rightly so at that time. I do concur with my colleague that we should be spending our time discussing other issues in this House. We should be spending our time discussing the absolute mess that the previous government has left the people of Ontario.

The member from Nepean-Carleton went off on some tangent about this government, the Liberal government, like the election hadn't occurred. I thought the member would say that maybe this House needs to speak about OPG, the report today on the review. My colleague from

Nepean-Carleton was the minister responsible for OPG, and I thought he would believe this time in the House would be better spent debating this report, debating how we got into this mess; how a government, in eight years, allowed this to happen; how a government that appointed the people who have resigned now—that maybe he would explain what qualifications those individuals had to run OPG besides being friends of the Conservative government of Ontario, the government of the day. So I'm surprised that the member wouldn't have spoken about OPG in his rant about the government.

Again, as we are speaking to this motion tonight, this time, instead of debating on the basis of the fact that nobody in this House doubts the qualifications of the three individuals who are in front of us as Deputy Speakers, it would have been much more useful to the people of Ontario to talk about the deficit this government has left.

**Mr Baird:** My stomach upset is coming back.

**Mr Agostino:** I see that.

Throughout the election campaign we were told by Mr Eves—Premier Eves at that time—and by Minister Ecker, "Don't worry. Be happy. There's no deficit; everything's fine. It's just something the media has dreamed up." Of course, we took office and we found a mess that is growing worse every single day. I believe this House should be spending time talking about this mess, not debating the three individuals who are going to be appointed to those positions, if it's the will of the House.

**The Acting Speaker:** To the member, that is the motion we have before us, so I'd ask you to speak to it.

**Mr Agostino:** Yes. These Deputy Speaker positions are important as time goes on, because we're going to be debating the deficit, and we need a Speaker in the chair who understands the issues we're dealing with. We're going to debate the \$5.6-billion, and growing, deficit that government left us. We're going to debate the fact that—

**Mr Baird:** You give drunken sailors a bad name.

1930

**Mr Agostino:** At least drunken sailors spend their own money, unlike your government did with taxpayers' money.

You need a Speaker in the chair who understands the mess this government has left. You need a Speaker in the chair who understands that this was not a number the Liberals pulled out of the air. This was a number reached, and a figure and a problem that was brought forward, by the former Provincial Auditor, a man of credibility, a man of integrity. It's also important to have someone in the chair who understands the auditor's reports, who understands the role of the auditor and the auditor's report, so when we debate the auditor's report in this House, when we debate an absolutely totally damning indictment of the former government, the PC government of Ontario that the auditor of Ontario—

**Mr Baird:** On a point of order, Mr Speaker: The member opposite is trying to vilify the former government and is not speaking to the resolution. I would ask him to direct his attention to the resolution.

**The Acting Speaker:** The member has drawn us to the fact that we should stick to the motion. I gave some leeway before. I think it's time that the game tightened up a little bit, so please speak to the motion.

**Mr Agostino:** I think the people of Ontario vilified this government on their own on October 2. It doesn't take us to do it; the electorate has spoken as to what they thought of the Conservative government of Ontario.

I want to go back to the point about how important are the individuals in the chair, because we are going to debate some important issues in this House. I'm trying to tie in the important issues we're going to debate and how important the role of the Speaker is going to be. So as we talk about the auditor's report, I think it's important for the Speaker to understand, obviously, the role of the auditor and what the auditor's report means to the people of Ontario. As we talk about the mess they left in health care, I think it's important to have one of these individuals there as Deputy Speaker who understands about eight years of mismanagement, eight years of a government that lost its way, eight years of a government that felt it was OK to continue giving massive tax cuts while basically drowning this province in deficit or drowning this province in debt, a government that felt it was more important to appease their corporate friends than to help the people of Ontario.

So these three gentlemen who are in front of us tonight as Deputy Speakers are going to have to be in the chair and deal with some very important issues in this House. They're going to have to listen to the debate as we talk about education in this House. They're going to have to listen to the mess they left. They're going to have to listen to the debate in regard to the fact that this government underfunded school boards in Ontario and then decided to blame the trustees. We have taken steps to fix that mess with Minister Kennedy's announcements of more money.

I'm surprised today that some of the Conservative members basically spent the day Toronto-bashing. Somehow they felt Toronto is not deserving. The fact that they have a greater multicultural community, more immigrants than anywhere else in the province, kids who need help with literacy—we try to help them. None of the other communities get help. My community of Hamilton—

**The Acting Speaker:** Member for Hamilton East, you're really starting to try my patience. I want you to come back to the motion, please.

*Interjection.*

**Mr Agostino:** Thank you, Speaker. I accept your ruling, but the heckling from the member from Nepean-Carleton is too rich for this. I think he spoke to the motion for about 10 seconds and then went off on some rant. I do accept your ruling, Speaker.

*Interjections.*

**Mr Agostino:** Listen. You learn more by listening than by talking, OK?

**The Acting Speaker:** Member for Hamilton East, through the Chair, please.

**Mr Agostino:** Speaker, this is an agreement, and it's unfortunate—I understand the NDP members feel they're not a party. The reality was, and the reality is, that there are procedural rules in this House that say, "Here's where official party status kicks in." In 1999, that party, the NDP, had official party status and they were part of the process of Deputy Speakers, which was fair and which was part of the rules. The rules didn't change. The makeup of the House didn't change. There was a reason why the change occurred between 1995 and 1999: because there were fewer seats in this Legislature. So an accommodation was made to fit that and to make it fair, but the reality is, there was no change in seats. The House makeup of 103 is the same now as it was before, so, therefore, we just can't keep changing the rules every time we don't like them. They were clearly in place and they were put in place by this Legislature.

Now, unilaterally, the NDP says, "Well, that's no good any more. We don't like that."

In conclusion—because I want to leave a few minutes for my colleague to speak to the motion—I think Mr Tascona, Mr Arnott and Mr Crozier are going to be three great Deputy Speakers. I will support this motion. I think it's a good motion. I would urge all members in the House to support it.

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** It's a pleasure to stand here this evening and see you sitting up there, doing the job you're doing. I don't have the time in this House to know the individuals well, but I've had the opportunity to spend a bit of time, listen carefully and try to get an understanding of what it is that the individuals whom we are speaking about this evening will have some responsibilities for.

I'd have to get used to not trying to think in the context of the member for Essex as I try to learn the geographies of folks in this House—Mr Arnott from Waterloo-Wellington and Mr Tascona from Barrie-Simcoe-Bradford. I'm also learning, as they move about the House, to recognize them in the various places that they find themselves.

The establishment of a Deputy Speaker, Deputy Chairs and Chair of the committee of the whole House is obviously an incredibly important role in the absence of the Speaker of the House, decided by a secret ballot. The Deputy Speaker then has an important function to play on an ongoing basis and not just in a casual sense, to fill in for some time that might be available.

The Deputy Chairs of the committee of the whole effectively act as the assistants to the Deputy Speaker. Coming from the other side of the House and the government side provides a balance, but I know the Speakers, when they're there and when they chair, work in a non-partisan fashion. You've clearly demonstrated that, as has the Speaker of the House and others who have sat in that chair on an interim basis, I'd say from both sides. Although there are times when one might question whether the partisanship, or lack thereof, is quite as well established as you've placed it. I've seen a



couple of occasions where I rather felt there was a little bit of partisanship yet going on.

Each of these individuals, I'm sure, is a skilled parliamentarian, having been returned to this place on more than one occasion. The member who is the Chair, or the Deputy Speaker, has to be able to rule firmly and effectively and have a strong grasp of the standing rules of order in the House. For those of use who are relatively new, we have to depend on the Speaker and the Deputy Speaker and the Chairs of the committees to provide some guidance and assistance in uncharted waters, at times.

I want to refer, if I can, to the standing orders, in part, because it is really the standing orders by which the Speaker and Deputy Speaker have to work to make the House function. Under section 4 of the standing orders, it speaks to the Deputy in clause 4(b):

"The Deputy Speaker shall, whenever the Speaker is absent or otherwise unable to act, perform the duties and exercise the authority of the Speaker and shall otherwise assist and relieve the Speaker as directed by the Speaker."

So it provides an opportunity for the Speaker to be able to absent him- or herself, as the case might be—in this instance, the Speaker being a male, himself—from the House for period of time when they have other duties to attend to and know that there will be those available. The Deputy Speaker or the Deputy Speakers, as the case might be, would be able to support in that regard.

I understand this is a rather routine motion, and as I listen to some of the debate go on, it's not the norm that we'd be spending time doing this, but I might suggest that it's probably not inappropriate that we do it. Given the activities of the past couple of weeks, I'm certainly getting a grounding in the procedural rules as they relate to this Legislature. This certainly is an opportunity to review in part the standing orders and be sure that the individuals that we have in that chair are ones who are knowledgeable and skilled at the application of the rules.

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There are times that it might be suggested we may be debating this to a fault, and I would even suggest that at times I thought we were debating to a fault some of the motions we've had before us in the past couple of weeks. But there is some relief, and the Speaker is asked to be cognizant of that. The relief might come when the bells ring, whether it's a five-minute bell so we can have division and a further recorded vote, or whether it's a 30-minute bell or a further 30-minute bell, or maybe a further 30-minute bell, that gives us lots of time to contemplate and/or review standing orders and listen to members across the House expound on their years of experience with points of order and points of privilege.

Mr Speaker, whether it's yourself there or the other members whose names have been put forward, the members from Waterloo-Wellington and Barrie-Simcoe-Bradford, it's important to be able to recognize the establishment of a quorum in the House. We've heard some debate about quorum over the past few weeks. The

quorum stands at 12; I've heard it suggested that maybe something less would be an appropriate quorum; I'm not sure if that would be seven or three or whether one would make it a quorum. In that case, Mr Speaker, I guess you would be the quorum, if it were down to one.

The interesting part, Speaker, is that although you're called upon to provide rulings on an ongoing basis, as we all recognize, you're not there to participate in the activities of the House in a formal fashion of debate, but in the event of a tie at the end of it all, you have the ultimate authority to be able to cast a vote and establish the necessary decisions in this House, which makes the positions of Speakers and Deputy Speakers and committee Chairs and Vice-Chairs of considerable power. When not all of us are in the House at all times there is always the possibility of a tie vote and thus the opportunity for the Speaker to make the determination on how legislation might move forward in the province of Ontario.

It's been suggested that we could be speaking, and it has been already referenced—and, Mr Speaker, you've been right in counselling the members not to spend an inordinate amount of time off the motion at hand talking about the finances of the province of Ontario, or the lack thereof, I might suggest at this point, or whether it's talking at this point about labour laws, the energy issue, which was before us today, insurance, education, universities, health care—all of those are important and I know we'll spend many, many hours and days debating each of them independently on many motions and many bills. But right now we're here to speak to the matter of who will fill that chair in the absence of the Speaker and who will be the Chair of the committee of the whole.

But since we're here anyway, and now it's some quarter to 8 and I suspect we'll be here some hours hence—

**Mr Kormos:** Four hours and 15 minutes, give or take.

**Mr Arthurs:** Probably, and then some.

The function of the Chair is to ensure that decorum is established and maintained in the House, and I must say you're doing an outstanding job this evening, as I see members on all sides carefully listening, working, multi-tasking, with a limited amount of banter back and forth across the House.

Reference was made to page 12 of the standing orders, and that's the matter of a lack of a quorum. Currently the quorum sits at 12. I understand—and I stand to be corrected because it will take me some time to get a grasp of it all—but in the absence of a quorum I believe that the bells would then ring for a period of five minutes. On the resumption after that five minutes, if there was not a quorum in the House, the House would adjourn to the next sessional day, whenever that day might be. If that were on a Thursday, I presume that next sessional day would be on a Monday. If it interceded between Monday, Tuesday, Wednesday, then it would be on the following day.

The order and decorum in the House and the conduct of members is critically important. I know, Deputy



Speaker, whether it is yourself, Mr Tascona or Mr Arnott, from each side of the House and from their various jurisdictions, you would ensure that the conduct and decorum in the House is such that we will be respectful of it.

**The Acting Speaker:** Just for the member's information—and we all learn something as we go—when you mentioned a quorum, if it's determined that a quorum isn't present, the bells will ring up to five minutes. If a quorum then is formed, the bells stop ringing.

Further debate.

**Mr Kormos:** I want to make it very clear that when either I, or any New Democrats, speak to this motion, we do not, by speaking to it, concede that it is in order. I don't say that by way of challenging the Chair. I say that by way of making it very clear that, without challenging the Chair, we do not accept your ruling and we do not, by speaking to this motion, concede its propriety, its orderliness, but because of the nature of the proceedings we feel compelled to address the motion, having raised the issues that we did by way of point of order and having other substantive concerns about this substantive motion.

Yes, as I understand it, this could well be the first time that a motion of this sort has been the subject matter of debate. Well, that's what happens when there isn't agreement between all parties as to these positions.

The purpose for agreement amongst all parties isn't so much to avoid debate, it's so that there be universal acceptance of the legitimacy of the person assuming the role. I say to you that the process utilized in this instance has the potential to diminish the legitimacy. I don't say that in the hyper-technical term because if, at the end of the day—and I'll speak to this before my modest 20 minutes are up—the propriety of this procedure is established, then one has to live with the results. But there is the technical legitimacy that flows from a process that's proper, and then there is also the legitimacy that flows from the recognition by parties affected by a decision—in this case the assumption of these three roles by three members of the Legislature.

I am obviously not pleased at all about the fact—you talk about precedent, Speaker—that it is unprecedented that all members of the House aren't in agreement about these three positions that are the subject matter. I was pleased to be here in 1990 when, for the first time in this Parliament's history, as I understand it, a Speaker was elected, and that was, as I'm sure you'll recall, Speaker Warner. Subsequent to that in 1995, and then after the election in 1999, we saw Speakers being elected during the term of the Conservative government.

One of the remarkable and dramatic things, as I have no hesitation in acknowledging, is that Speaker Warner was the party establishment, or the caucus establishment, or government establishment, favourite. That's a given. There's no denying it. But similarly, the last two Speakers that we've had in this assembly were clearly not the governing party caucus's favourite sons, if you will, because they were sons in both instances. They in both instances—in the instance of Speaker Stockwell and

Speaker Carr—were Speakers who truly were elected in a process where the election wasn't but a rubber stamping of the Premier's will, of the government caucus establishment's will. We were blessed, I say, as an assembly to have had the leadership of those two Speakers. While Mr Stockwell and I, while he was here in this House in roles other than Speaker, rarely agreed upon anything and seemed to be incapable of entering the same room—from time to time, I thought, the same building—without there being disagreement, I've got to tell you that I am compelled to acknowledge Stockwell as one of the significant and important and extremely capable Speakers of this assembly. That is echoed—I say to you once again that while my relationship with Mr Carr was more cordial than it was with Mr Stockwell, far more cordial, which isn't hard, I've got to tell you that Mr Carr, once again, was a Speaker who was unparalleled.

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To go back to before 1990, I remember Speaker Edighoffer, who was very much handpicked, chosen, an extremely partisan person—from time to time, to perhaps the more experienced, you could identify the partisan nature of some of his rulings—but at the same time extremely competent. It's the whole argument about patronage. You see, "patronage" is in and of itself very much a dirty word, but the really repugnant patronage is patronage without merit. When you see patronage with merit, it becomes somewhat more difficult to be critical. I recall Edighoffer as being the beneficiary of patronage, if you will, but being so skilful, skilful to the point where he concealed except to the most experienced eye the occasional flight of partisanship. Because, look, people aren't perfect; I've noticed that and I acknowledge it. I have been in the presence of so-called neutrals, adjudicators, all of my adult life. I was in the presence of them a whole lot in my youth too, but that was an entirely different scenario. I've watched adjudicators, so-called neutrals, make determinations. I've seen good ones—very good ones—and I've seen bad ones—very bad ones. I've seen so-called neutrals so bad that they were an embarrassment.

I want to tell you, Speaker, that one of the problems with choosing Chairs in the manner we're choosing them now, when you don't have agreement, is that you invite debate. It compels debate. I want to say to you that quite frankly I'm not satisfied—I'm not suggesting that you aren't, but I'm telling you that I'm not satisfied—that you have the capacity or that you've demonstrated the capacity of a neutral. I don't want to be pompous in this regard, but one of the tests was when you were invited to remove yourself from the chair around the consideration of a point of order that dealt with the motion that directly affected your assuming this position, and you declined to. I suppose that was within your discretion; you made a choice. You could have, but you didn't have to. Had you removed yourself, you would have gone a long way toward demonstrating your eagerness not only—oh, do I paraphrase old judicial determinations—to be neutral but



to appear to be neutral. There has to be the confidence in the role of the Speaker; it's a very important position. All of the Chairs play very important positions.

I'm also interested in the haste with which the government wanted to have these three positions filled, because it seems that for the last week, week and a half, Speaker Curling, elected as he was, was quite readily assisted by any number of people, yourself included, and Mr Arnott, one of the other names included. That leads me to believe that it must be about the money, because the Deputy Speaker earns an additional salary of \$12,616. I don't begrudge that. The Deputy Chairs of the committee of the whole also earn an extra \$9,291. That takes your minimum wage, should you be chosen, to just shy of \$100,000—\$97,856—and in the case of the Deputy Chairs, \$94,531.

I've heard the phrase, "It must be about the money; it's just the money; it's about the money and nothing else," tossed around here frequently over the last few days. The haste on the government's part to fill these positions in a formal way compels me to believe it must be about the money, because the positions can be performed quite thoroughly without the formalization of them.

In the short time that you have taken the chair, as a volunteer, I presume—and as I understand the process, when the chair is vacant it's not to be vacant; any member can be called upon to sit in it and perform the role—I have seen you do well. I don't believe it's necessarily your best, but the approach has been somewhat casual. I've not known you to have participated in any substantial points of order in this assembly, although I may be in error. I may not have been here on an occasion when you did. Nor do I recall you, in the years that I've known you here, as a particularly interested student or fan of procedure.

**Mr Shafiq Qaadri (Etobicoke North):** On a point of order: I have listened patiently to the member opposite impugn the reputation of the Speaker, his motives, his purchasability and so on. I feel that is very contrary to the standing orders and, frankly, the tenor that should be upheld in this Parliament.

**Mr Kormos:** Look, Speaker, I don't like doing this at all, but this is what happens when you compel a debate on these positions. This is what happens when you have an unprecedented scenario where the positions to be filled are determined by way of a motion like this that is debated because it's a motion that hasn't been agreed to by all parties in the House. Do you get the point? Exactly.

If one puts one's name forward in a motion to which there is not unanimous consent, that invites agreement, then one is inviting debate about the ability of those persons to perform the roles they are seeking. It's regrettable the inherent flaw in dismissing seven members of the Legislature and not permitting them to play what is an important role in creating a background of universal approval of the people chosen. You understand—you've been here to see these positions filled often enough—that

when there's agreement as to the positions, one is hard-pressed, even if one in one's heart or one's mind harbours some doubts about that person, to stand up and articulate them. Right? Because you've agreed to them.

That's the problem with the process that the government, it appears with the direct and ready collaboration of the Conservatives, the official opposition, has embarked on. As you know, as a result of my point of order—I'm not re-arguing the point of order; I know I shouldn't and I won't do that—I have great concerns about the process we are embarking on. We are compelled now, because of your ruling, and again, so be it. My concern is about, literally, the legality of it—and not to say that it's illegal in the sense that somebody should go to jail. I'm not suggesting that. There isn't that level of opprobrium attached to it. But the propriety of it and perhaps the reversibility of it; I don't know. There are others here who perhaps could comment on that or lend some assistance.

This is not a pleasant evening. It's not been a particularly happy week, has it, fellow members of the Legislative Assembly? Indeed, when we get down, when the rubber hits the road, we find out that when it's about the money, when it's really about the money—

**Mr David Zimmer (Willowdale):** On a point of order, Mr Speaker: For the member from Niagara Centre to suggest that the designation of the Deputy Speakers is about the money—he said that earlier in his comments and he went into some detail and broke down salary differentials and so on—to suggest that is unparliamentary.

**The Acting Speaker:** It's not a point of order.

*Interjection.*

**The Acting Speaker:** I'm listening very carefully, and if it becomes unparliamentary—I thank the member for his comments, but we'll continue.

The member for Niagara Centre.

**Mr Kormos:** Thank you, Speaker. I'm familiar with the ruse of phony points of order to extinguish a speaker's time, especially when it's limited, so I move adjournment of the debate.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

Those opposed, say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 2002 to 2012.*

**The Acting Speaker:** The member for Niagara Centre has moved adjournment of the debate.

Will all those in favour stand and be recognized. Thank you.

Those opposed, please stand.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 5; the nays are 29.

**The Acting Speaker:** I declare the motion defeated.

Further debate?

**Mr Kormos:** I have but three and half minutes plus. I, quite frankly, am fearful of other people here using

points of order to exhaust that time. I think it's prudent under all of the circumstances. Again, I'm not about to suggest that I know the answer, but the prospect, I've been told, of judicial review is there. In view of that, it would be prudent of me to do what I'm about to do and prudent of this House to approve it. I move adjournment of this House.

**The Acting Speaker:** The member for Niagara Centre has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 2014 to 2024.*

**The Acting Speaker:** The member for Niagara Centre has moved adjournment of the House.

All those in favour, please stand and be counted by the Clerk. Thank you. You may take your seats.

All those opposed, please stand to be counted.

**Clerk of the House:** The ayes are 6; the nays are 31.

**The Acting Speaker:** I declare the motion defeated.

Further debate.

**Mr Kormos:** I will now obviously wrap up. We've got two issues here. One is that it's acknowledged that the two most junior positions are ones that are not filled by way of election but are certainly filled by convention and tradition and, for the obvious reasons, by way of consensus, agreement amongst all parties in the House. The statute provides for the election of the Deputy Speaker, and for the obvious reasons an election is done in secret, by secret ballot. There have been times in the past—in fact, all the times that I'm aware of, certainly the times when I've been here—that that Deputy Speaker was determined not by ballot, as the Legislative Assembly Act requires, but by what I suggest to you is unanimous consent. Having done that in the past does not eliminate the need to do it when called upon to do it in the present. Those who regret the tone of the debate should reflect on the fact that that's exactly the reason why one either elects people to these positions by secret ballot or, when they aren't to be elected by secret ballot, one does it by unanimous consent after consultation with all of the parties, all of the caucuses in the House. That's the way it has been done. So the concern that might have been expressed and that may be expressed throughout the balance of the evening should contemplate that.

Yeah, I've been part of a caucus here that's been the majority, and I've been part of a caucus here that's been the minority. At the end of the day it's really about the commitment of individual members to this assembly, to real democracy, to avoiding the oppressiveness that the majority can so often indulge in over minorities. Mr Bisson referred yesterday to the tyranny of the majority, a phrase that's oft-cited in terms of the responsibilities of a majority, and that is to have as perhaps its foremost consideration the protection of the minority. I'm not sure that we're witnessing that here and now. It's regrettable. I suppose time will tell where this takes us.

**The Acting Speaker (Mr Joseph N. Tascona):** Further debate?

**Hon Gerard Kennedy (Minister of Education):** Mr Speaker, it strikes me that in the public interest—the tone of this debate is desultory, addressing none of the needs of the public, maybe some private needs of members of this House. I move the question on this matter.

**The Acting Speaker:** The member for Parkdale has put forward that the question be put. It's not in order, because the time allocation motion indicates that there be a full sessional day allocated to the debate on this particular motion.

Further debate.

2030

**Mr Mike Colle (Eglinton-Lawrence):** We're here today debating whether or not this motion to have the Deputy Speaker take their place is in order. What we really should be doing here is talking about the real business before the people of Ontario. Today we got this amazingly sad document talking about the billions of dollars being wasted at Pickering, which is costing the people of Ontario \$25 million a day that could be used for education; \$25 million that could be used for our hospitals; \$25 million a day to fix our schools, our city.

**Interjection:** Twenty-five million a day?

**Mr Colle:** That's what it's costing us. The previous government, in essence, was negligent in watching over one of the most important assets we have in Ontario. There has probably never been a more damning report about mismanagement, incompetence and pure negligence, when we could have, as I said, been doing things with this money to fix the infrastructure of this province. Instead, we're here tonight talking about procedural actions that members of this House find don't suit them. So I think the people of Ontario would rather talk about—

**Mr Baird:** On a point of order, Speaker: I notice your predecessor in the chair had brought members to order when they were not speaking to the question before the House.

**Mr Colle:** As I said in my initial remarks, what I'm saying is that the people of Ontario want this House to be seized with the government's job. The job of the Legislature and the appointed MPPs is to talk about things that affect their schools, their hospitals, the fact that this province is facing an incredible deficit left by the former government. That's what they want us to be debating—not these procedural gymnastics.

An example I gave is the pressing issue of what we do with the biggest boondoggle, mess, in the history of any province, the OPG fiasco, which is going to impact not only our future ability to give energy at affordable prices to the people of Ontario, but it's going to add immense financial pressures to all the things that need to be done in this province. That's what the people of this province want us to be debating, not procedural gymnastics.

**Mr Bisson:** I'm just so surprised that no members of the government or the Tory opposition want to speak to this particular debate.



**Interjection:** There are no Tories here.

**Mr Bisson:** Well, I can't say there's no Tories here, because that would be unparliamentary. The standing orders—

*Interjection.*

**Mr Bisson:** Oh, there are two; I'm sorry. I would not be able to say that, according to the standing orders. I'm not going there, to say that there are only two.

**Mr Baird:** On a point of order, Speaker: The member opposite knows that you can't make reference to the absence of a member, and I'd ask you to come to order.

**The Acting Speaker:** Member for Timmins-James Bay, do you understand that?

**Mr Bisson:** I understand fully and I would not want to do anything contrary to the standing orders. I think you know me better than that.

There are a couple of things I want to say in this particular debate and I want to try to lay this out as clearly as I can so that members, especially members who have just been elected to this House, understand that what is happening here is that we have a situation now where basically, the way the standing orders and the Legislative Assembly Act operate—the Legislative Assembly Act, for members to know, is normally the law by which we guide ourselves within this particular assembly. The standing orders basically flow from there, and after the standing orders come the precedents in regard to Erskine-May, Beauchesne and others.

What we have now is a situation where there is not unanimity in the House when it comes to who the officers of the House should be. I know that the government members and the members of the Tory opposition say, "We're the majority. It's only right. There are more of us than there are of you; therefore, because we're more than you, we can do what we want. We can do that because we're the majority and we don't have to take into account how the minority feels." I understand that. I don't agree with it; I think it's wrong-headed. In this particular case, even though the Legislative Assembly Act says clearly on page 14, "There shall be an election of the Deputy Speaker," you're saying, "Never mind, we're a majority. We can do what we want because our standing orders say you can do an appointment."

As my good friend Mr Kormos, the member for Niagara Centre, pointed out in his point of order—which was ruled out of order by the Speaker, but I still don't agree—what takes precedence when it comes to how this Legislature operates is, number one, the Legislative Assembly Act, which guides us when it comes to the work we do in this assembly. The Legislative Assembly Act is where we get our authority to sit as a Parliament and pass laws in this Legislature. The standing orders themselves are basically the way we deal with the business of the House, and following from there, if they're silent and they don't speak to a particular issue or there is some ambiguity when it comes to the standing orders, we look at precedents. That's what Erskine May, Beauchesne and the others are all about.

What we have now is a situation where our Legislative Assembly Act, which is the act that governs the right of

this Parliament to do the work it does, says, "You shall have an election," but by way of practice that we have enshrined inside our standing orders, it says that where there's an agreement, we should have the appointment of the Deputy Speaker of the assembly. We have a situation where in the past there has been agreement among the parties about whom we should appoint. Each party would put forward their nominees, and if a party had a problem with a particular nominee, and that's happened before—members who have just come here would think we just rubber-stamp every appointment that comes from the parties. I can remember one occasion where there was some difficulty with one particular appointment, and that party basically made some changes in order to satisfy the opposition.

The reason we have that is so that all parties can have confidence in the officers of this House. At times in debate, the government, by right, will want to have the Speaker rule on a particular issue when it comes to the rules of the House, or the opposition also will want the Speaker to rule on a particular issue, and to do that in a way that is impartial, that is done without looking at what his or her party colours should be.

Now what we've got, clearly, is a Conservative opposition and a government—in this case a Liberal government—who have got a deal that says, "This is my guy, and this is your guy. I'm OK with your guy, and you're all right with my guy, and because we're the majority and represent 80% or 90% of the House, we can do what we want. We've got an agreement between the recognized parties in the assembly. We don't have to take into account what the NDP has to say, because they're just a minority in here, and that's OK."

I want to just give you this thought. Imagine if the Constitution of Canada were to work that way. I look at members of this House, from people like me—I'm a francophone from northern Ontario—to people of other ethnic backgrounds. Imagine if our Constitution said, "The majority can do what it wants when it comes to the Charter of Rights and Freedoms. The charter only works if the majority is of the view that what is in the charter is right." I want to propose to you, what would happen to gay people in this province and this country if the majority of the people said, "It is the majority of people who decide what the rights of gays and lesbians should be"?

Imagine if we said, "It is the right of the majority to decide what happens to people of visible minorities within the country called Canada as it applies to our Charter of Rights and Freedoms." Imagine if we said, "Trade unionists are treated by way of how the majority feels, because they're pesky people. Those trade unionists go out and negotiate collective agreements and every now and then they have strikes against employers. They just get in the way of progress and in the way of the employer doing his or her daily business. Therefore, we, the majority, believe we should override the rights in the Charter of Rights of this country." I wonder what we, as parliamentarians, would say if we were to see that. I

would probably guess rightly that most members of this House wouldn't stand for that for a second. Can you imagine a person of colour, a person from a visible minority community, who would be done wrong by our society and people would purport that we have to override their rights because a majority of Canadians feel differently? We rightfully in this House would be trying to defend our charter, saying that the rights of the minority need to be protected.

2040

Can you imagine if the rights of gays and lesbians in this country—because I've gone through three or four debates in this House where they've been fairly difficult when it comes to being able to get the rights recognized, rights that are already in the charter, and trying to get our particular Legislature to recognize them. At the end of the day, the Charter of Rights says that the basic principle is the minority has to be protected, and we need to be able to recognize and protect the rights of minorities in this country.

Well, the Legislative Assembly Act is much the same way. We are all honourable members. We have all been brought to this House by way of election. The citizens of our ridings can't be wrong. They have voted for us by way of majority or way of plurality and have brought us into this Legislature. Now, I may not agree with some of the outcomes of the last election, but that's for another debate.

My point is, who are you, sirs and ma'ams, to all of a sudden decide by way of your majority that New Democrats in this House should not be taken into account? I'm saying that the precedent that you're setting is a dangerous one. At the end of the day, our democracy works well when? Our democracy works well when we recognize that the laws of our land basically say we protect the rights of the minority and we don't trample the rights of the minority, because in our system of democracy we believe it's important that people who are in a minority have an opportunity to have their say. At the end of the day, you're going to get your legislation; you're a majority here. You even have the Tories voting with you, so you have more in the majority than you need. The Tories are, quite frankly, snuggling up with the Liberals every chance they get. That's a whole other debate. We know you're going to get your laws, we know you're going to get your votes, but the point in a debate like this is that you have to have the ability to at least hear the other side.

I'm saying, what you guys are doing ain't right. It doesn't sit right with what our Constitution says when it comes to protecting the rights of the minority, and quite frankly, I don't think it sits well with voters out there. I think most people out there recognize at the end of the day that no matter who the minority in the House is—Liberals, New Democrats, or Tories—they have a right to be heard.

To the particular point of the Speaker, the Speaker has to have the confidence of the House. What we're purporting to you is, by way of election, by way of

tradition in this House, we've done it a couple of ways. When it comes to electing a Speaker, since the time that I've been here, we have a secret ballot vote and we vote for who we think the Speaker should be. At the end of the day, I don't know what other members have voted, and I have to accept the will of the majority of this House, because right or wrong—and I would argue that it's right—the ability of a democracy to make a decision is always a better one. If I had five people here, I'd be able to demonstrate that a little bit better.

*Interjection.*

**Mr Bisson:** Thank you. I just didn't know how many times I can put my hand up.

**Mr Kormos:** They were waving back.

**Mr Bisson:** They were waving back. Hello.

I just want to say to the members, the Speaker has to have the confidence of this House, and what we're saying is if there's not an all-party agreement, and there's not an agreement among all the members here when it comes to the political affiliations they come to the House with, how can we say that our Speaker—not our Speaker, because our Speaker was appointed, which is a whole other debate—but when it comes to our Chairs of this House, there has to be, quite frankly, confidence on the part of all members in the House that those people can do their jobs in an impartial way.

What you're doing here tonight is saying, "We will dispense with the legislative requirement under the Legislative Assembly Act that says we will have an election." You say, "Because the standing orders say we can appoint, we're going to appoint."

**Mr Zimmer:** On a point of order, Mr Speaker: It seems to me that if the member, in his argument before this House, is going to quote from the act, he has to quote the act accurately. He said that the standing orders make provisions for an election, and on close reading of standing orders 4 and 5, there is no provision for an election. If I can just draw your attention, because I think—

**The Acting Speaker:** I don't think it's a point of order, the member for Willowdale, but I think he understands what you're saying. Let's proceed.

**Mr Bisson:** My point is that there is a convention within our standing orders that says we shall elect the Speaker, and there is a law in the Legislative Assembly Act that says we shall elect our Deputy Speakers as well. If we choose to, by way of agreement of all parties, we can appoint. If there's not an agreement among the parties, we shall have an election. That's my point, and I don't know how much clearer I can make it.

I just want to say to the members, what you're doing here is dangerous, because we're going down the road, quite frankly, where by way of the majority of this House, we are basically going to say that the minority doesn't have anything to say when it comes to expressing its views in this Legislature. By way of this motion, you're saying we have to accept on behalf of you, the majority, who the officers of this House are going to be without any say from us. I don't have an ability to affect the outcome of this vote, because we are but seven



members. I'm saying I would rather be in a position to vote for those people who I think would be most impartial when it comes to being able to rule and being able to deal with the business of this House. At least that way, by way of secret ballot and by way of the law of the Legislative Assembly Act, I would feel a lot more comfortable.

I would ask the members to do but one thing: to take a 10-minute pause, to go away and reflect, and to say, "What is so hard about upholding the most fundamental thing in our democracy, the right to vote?" I would ask that the members of the assembly walk away for 10 minutes and think about what we can do very quickly here tonight by putting some ballot boxes at the end of the Clerk's table, letting those people stand who want to stand for the position of Deputy Speaker, and allowing all of the members of this House to vote so that at the end of the day we, as members, can vote by way of secret ballot and give our Deputy Speaker the complete confidence of this House. Otherwise, this process is a sham and it ain't going to work. I would ask members to reflect on that as I ask for adjournment of the debate.

**The Acting Speaker:** The member for Timmins-James Bay has moved adjournment of the debate. Is it the pleasure of the House that this motion carry?

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 2047 to 2057.*

**The Acting Speaker:** All those in favour of the motion will please rise.

All those opposed to the motion will please rise.

**Clerk of the House:** The ayes are 5; the nays are 29.

**The Acting Speaker:** I declare the motion lost.

Any further debate?

**Mr Bisson:** I must say I'm rather disappointed with the members. I know how we all got here. We stood for election, each and every one of us. We ran on a campaign somewhere out in Ontario, in one of the 103 ridings, and we didn't ask, "Can we have a motion in our riding so that I can be elected?" I remember the last election. Did any of you stand there and say to the returning officer, "I don't want to go through this bothersome election process. That's just too much trouble"? Why do we want to do those kinds of things? Because we're all democrats, right? We happen to be New Democrats, but in a common term we're all democrats. We all believe that you should come to this House by way of an election, not by way of a motion. In fact, I'm a little bit surprised that members of this assembly, who are practised in the tradition of democracy, which is called going to the ballot box, didn't want to elect their Speaker. I don't know how much clearer I can make it. At the end of the day, our House officers have to have the confidence of the House.

When we came into this place but a couple of weeks ago we had an election for Speaker. In this particular case, it was an appointment. Nobody else stood, and he

was appointed. All right; fair enough. I don't like it but I've got to accept that at the end of the day he was acclaimed, but at least there would have been the process of an election. In this particular case we've got a situation where we say that if there's unanimity among the parties, we're able to appoint—

**Mr Marchese:** Maybe.

**Mr Bisson:**—"maybe" is the operative word, I agree—but only if there's unanimity among the people here. Clearly, there is not unanimity. Therefore, we have to go to the law that operates this place, the Legislative Assembly Act—I don't know of any clearer way of putting it—where the Legislative Assembly Act says there shall be an election of not only the Speaker but of the Deputy Speaker. When you go to look at the orders of precedence, it clearly says that the standing orders are not first; in fact, the Legislative Assembly Act is the first thing you have to work by. Number two, you go to your standing orders because those are the rules you establish for the business of this House, how it's going to operate. If that is confusing, because it's not as clear as it should be, you go to the orders of precedence.

What we've got in this case is pretty clear. The Legislative Assembly Act says we have to have an election—pretty clear. There's not unanimity in this House. It seems to me it's pretty clear. I just have a hard time trying to understand why members would not want to have an election. Are the members being appointed tonight fearful that they would not be elected? I can't believe that. I can't believe they're fearful they wouldn't be elected. So what do they have against an election?

I say to myself, what is this really all about? Members from the Liberal caucus said it's about money, and I agree. It's all about money. It's about the money our Deputy Speakers and our deputy Deputy Speakers are going to be getting. They want to be able to go home this Christmas with an extra little paycheque of 12,000 bucks in their pockets and say, "Honey, dear, neighbours, friends, I'm making more money. Look how good I am." This is not about democracy; it's about making sure people can put paycheques in their pockets. I'm saying that's not what democracy should be all about. It seems to me we fought wars against that kind of stuff.

I ask the members in this House to reflect on this. We are all here because we were charged by the people who voted for us with coming to this assembly and with representing them here. But key is that they voted for us. The Legislative Assembly Act says that we should be voting for a Deputy Speaker, therefore I am guided by the Legislative Assembly Act, and I believe we should be voting for the Speaker and the Deputy Speaker.

Mr Speaker, in order to reflect on that, I would move adjournment of the House.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

In my opinion, the nays have it.

Call in the members. There will be a 10-minute bell.

*The division bells rang from 2102 to 2112.*

**The Acting Speaker:** The member for Timmins-James Bay has moved adjournment of the House.

All those in favour of the motion, please rise.

All those opposed to the motion, please rise.

**Clerk of the House:** The ayes are 5; the nays are 29.

**The Acting Speaker:** I declare the motion lost.

The member for Timmins-James Bay.

**Mr Bisson:** This makes my point, to an extent. We have rules of the assembly that say what we can and can't do in this Legislature. Now we've just gone through a vote, and a member was not in his proper seat for the vote, but the Chair decided, "What the heck. We don't have to look at the rules. It's OK. It's only the minority complaining. Why should we pay any attention?" That's my point. My point at the end of the day is that we all have to have confidence in the people who are the presiding officers of this House, and to be in a situation where people, because they're the majority, can disregard the rules—"Never mind that there's a Legislative Assembly Act. We can do what we want. We don't have to pay attention to the Legislative Assembly Act. It's not important." It's like saying you've got a Charter of Rights and Freedoms, and at the end of the day minorities are being hard-pressed, "But let's not worry about that. That's bothersome. Those people in minorities, they don't need protection. We're the majority, and we know what has to be done."

Well, it's that way in many countries around the world, and the last time I checked, those aren't very good countries to live in. There are those where the rights of the minority are oppressed, and quite frankly a very few at the very top live well. If that's the kind of society people in this assembly stand for, I have a very big difficulty with it.

I was hoping that members of this assembly would reflect, that we'd actually have an election on the officers of this House. Clearly, people don't believe in democracy; I think that's wrong.

**Ms Churley:** I'm happy to be here tonight to speak to this motion before us, and that is the motion to appoint the Deputy Speaker and the deputy Deputy Speakers, and explain why I am fully in support of, and was fully in support of, the point of order around why we should be having this election tonight. I'm not going to go into the details as the member for Niagara Centre did about the rule of law—we'll be coming back to that at a later date—because what I want to talk about is why we're here tonight yet again.

I'm willing to concede that I don't like this either. I find it pathetic, and I find the situation we're in not very good for democracy overall. I've been in this place since 1990. I indeed have sat as a Deputy Speaker, and although it has never been acknowledged, I sat as the first female Deputy Speaker in this Legislature. That was an appointment; that was an appointment by my party of the day. You will recall that the Tories changed the system somewhat, where each party appointed a person and we

rotated the deputy position. The Liberals have reversed that position, and I thought it was a good position, because it allowed each of us an opportunity to have not only the extra pay for the deputy, but also the extra responsibility. It was a good system, and I was proud to have sat as the first female Deputy Speaker of this Legislature.

I remember I had to have a whole new design for my costume, because there hadn't been a female outfit for a deputy before. For the other positions there were, but as you know, the Deputy Speaker gets to wear a special outfit while sitting in the chair—a long history, which I can tell you about later. But members were saying earlier, "Well you, Ms Churley"—NDP; they were leaving out the NDP—"you were chosen in this House, so what's the big deal? Since you were chosen, picked, appointed, why would you be demanding an election tonight?"

I want to explain why, and there are two big reasons. My colleagues talked about the first reason earlier, and that is, every time since I've been here—and we started the elections in 1990, but before that, all of the appointments were appointments—all of the legislators in this place agreed; we all chose who those people would be together. So when my leader of the day appointed me as Deputy Speaker and each of the other parties appointed theirs, we all talked together. It was an agreement by all the parties. My name was put forward, and it could have been rejected, but it was agreeable to everybody. That's the way it worked then.

As has been pointed out, what has happened here is that because New Democrats have seven members, albeit more of a percentage of the popular vote than the last time, and because the Harris rules—and let me point out it's a Harris rule which the Liberals in this case are deciding to cherry-pick as a rule they can't possibly change even though it's an unfair one. As I continually point out to people, that Harris rule allocated eight people to make up, out of 103 members, the number for party status here. Compared with other jurisdictions across Canada, it's about double what is normally needed to suit democracy—not for this party; it could be that party. It could be the Liberals next time with less than eight members. It's a pretty volatile electorate these days.

In fact, as people are getting more and more disillusioned with the way this place works, or doesn't work, there are going to be fewer and fewer people voting, and we're going to see changes in governments a whole lot. To some of the new members sitting beside us who are so arrogant now and are frustrated by the bells ringing and—

**Mr Kormos:** Because they're sitting beside us.

**Ms Churley:** —and because they're sitting beside us instead of over there—the arrogance is overwhelming as new people. I remember being a new minister in this place and having to take some time and learn how things work. But I understand, having said that, the frustration. These seem like silly games, I am sure, because they've got important work to do, and that, in their minds, takes over everything else. But this is unprecedented, and because we don't have that magic Harris number to make



up party status, this gives the government the excuse to work only with the Tories, who were their avowed enemy not that long ago, to go in backrooms and make deals about who's appointed to the chair in which you sit tonight.

2120

I don't take issue personally with you or any of the other members who have been chosen by two of the parties in this House, without the consent of the third party. That is why we're insisting on demanding that we go by the rules, and the rule is that there should be an election of the Deputy Speaker. We didn't have a say in who that person should be, just like we're not being given a say in many things that go on around here that affect our constituents, affect our ability to stand to make our voices heard.

I heard a member from the government side earlier who did stand up and debate for a while, talking about, "We've got important business to discuss." Yes, we do.

*Interjection.*

**Ms Churley:** No, that's not what I'm getting at. He brought up—

**Mr Marchese:** That's a good point.

**Ms Churley:** Yes, it is a good point, but he brought up the issue of this hydro report that came out today that we should be discussing. We only got one question in question period today. It was way down the list, and when it finally did come to me, the Tories and the Liberals were so busy yelling back and forth about whatever issue they were concerned about that I was drowned out. And the Speaker did nothing. In fact, somebody called my office and said, "What happened? I've never heard such an uproar in the House. We couldn't hear you. All we could hear was the noise around you." That's very unusual.

Had we had the opportunity, we would have asked many questions today about this hydro report. The Tories weren't going to ask you questions about that, as they aren't for many of the issues that I'm sure the Liberals would love to have more questions on, because those subjects are important not only to the people of Ontario but also to the government. Right now they get to lambaste the Tories because it's all their fault, for the time being.

We're here, we're available. We want to be engaged in the debate. We want to be asking the questions that are so relevant to the people of Ontario, and we're being denied that.

There's another very good reason why I think we should have an election; indeed, I think we should change the structure of the appointment process around here. I talked about my having been the first female Deputy Speaker here. I don't know if you've noticed, as I have, that all of the appointments this evening—I consider it to be absolutely sexist that we have some very good women in this Legislature who have had some experience. I look at the member for Etobicoke Centre, a former school board trustee who has chaired the Toronto board of education, who would make a good Deputy

Speaker, or one of the Speakers. Or the member from Don Valley West, who is sitting here tonight, who in my view would make a remarkable Speaker.

*Interjection.*

**Ms Churley:** No kidding.

**Ms Kathleen O. Wynne (Don Valley West):** I just got elected.

**Ms Churley:** You just got elected? So what? He has never sat in the chair before.

Having said that, if they would not want to stand for election, I would stand for an election. Why should I not be allowed to stand for an election? I am experienced. I have been the Deputy Speaker, and guess what? I would be willing to do it without the extra \$12,000 in my pocket. Because this is about the money. We hear members stand up here—because we're not getting that extra money for our positions that we still hold. We still have a House leader. We still have a deputy House leader. We still have a whip. We still have a deputy whip. Now, the deputy leader never gets extra pay—never got extra pay for this position, anyway. We still have the caucus chair. We still have all of those positions. They're not being paid. I can guarantee you they're working hard.

I'd be willing to stand for an election and be one female in this place representing the Legislature in that chair, but I don't have that opportunity. In fact, we didn't have an opportunity to try to put my name forward as somebody who's experienced—and by all accounts, everybody who has sat here before would say, and some said tonight, not only was I a good, competent Chair, but I was a fair and even and neutral Chair and ran this place with an even hand, with a sense of humour and, by all other accounts, was a very good Deputy Speaker.

But I have been denied—and I hear the good doctor over here chuckling. The lack of respect, and I would say from all three parties, now—I'm upset by all of this, Mr Speaker, as I think everybody is. This is a new member's first experience with this place, and I've never seen anything like it. It could all be avoided. It could be avoided. And you need to start understanding that, as you sit there and get sarcastic and come up with your, "You're not a party," quotes every opportunity you get, when we're trying to stand up for your rights. This is not how this place normally is run; it really isn't.

We've all had our differences in the past; I can guarantee it. And there have been uproars in this place. I can tell you about the current Speaker—you all know; it's legendary—who sat in his seat and refused to vote, and this had been worked out ahead of time by both opposition parties working together. In fact, it was New Democrats who first came up with the idea.

**Hon Mr Kennedy:** Oh yeah, of course.

**Ms Churley:** It was. Gerard, we did. I know you don't like to believe that anybody on God's earth except Liberals—

**Mr Bisson:** No, no; except Gerard.

**Ms Churley:** —except Gerard—can come up with good ideas. Indeed, it was New Democrats. But leaving that aside—if they don't want to give credit, I don't care.

**Mr Marchese:** It was a collaboration.

**Ms Churley:** It was a collaborative exercise. We talked to the Liberals because they were the official opposition. They got to refuse to stand up first and vote, and we had already worked out in advance that when that happened, we would, as both of the parties of opposition, go over there and protect him and stay with him all night, and that's what we did as opposition. That's what oppositions did together then.

Everything has changed in this place. There are a number of new members here who—normally when we come back after a break and an election there are new members from all parties, and we all try to get to know each other and talk a little bit. But the animosity here, because of the situation that has been created, is not allowing that to happen. It's a very, very unpleasant atmosphere, and not only is it an unpleasant atmosphere, but it really does impede democracy, because we're unable now to find ways to work together when the two other parties determine among themselves in the backrooms how things are to be done, excluding us.

But I must say, coming back to the very large concern I have as a feminist, as somebody who ran many years ago as a feminist standing up for women's rights and equity—and we're still so far from that. I mean, look at the number of women who have been elected here. Look at the number of women who have been elected.

**Mr Tim Peterson (Mississauga South):** What's that got to do with it?

**Ms Churley:** I believe one of the new Liberal members—where is he from? It's Mr Peterson; I don't know where he's from—just said, "What's that got to do with it?" What has that got to do with it, that we're still so underrepresented in terms of females in this Legislature? He's now asking what that's got to do with it. That's got everything to do with it. This place does not represent the face of Ontario in terms of visible minorities and in terms of women. In fact, there are fewer women here now than there were in the last Legislature. When we were in government, we had about a third of the cabinet made up of women. We're going downhill. Things are actually getting worse. But there should have been a woman, since we're appointing people without talking to all three parties, and not one woman was chosen by the ruling party or by the Tories. We're going to see all men here tonight.

So I want people to reflect on that, and perhaps the government and the Tories, since they're not talking to us, can come back with a new name, a female name, a competent—and there are many to choose from here tonight.

Having said that, I'm going to move adjournment of the debate.

**The Acting Speaker:** The member from Toronto-Danforth has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please say "aye."

All those opposed to the motion, please say "nay."

In my opinion, the nays have it.

Call in the members; it will be a 10-minute bell.

*The division bells rang from 2130 to 2140.*

**The Acting Speaker:** The member from Toronto-Danforth has moved adjournment of the debate. All those in favour of the motion, please rise.

All those opposed to the motion, please rise.

**Clerk of the House:** The ayes are 5; the nays are 27.

**The Acting Speaker:** I declare the motion lost.

**Mr Frank Klees (Oak Ridges):** On a point of order, Mr Speaker: I want to express just how concerned some of us are—I'm sure it's not intentional—that some members are not properly acknowledging you on the way into the chamber and on the way out of the chamber. I'm sure the whip of the Liberal caucus will take this up at their next caucus meeting to ensure that you're appropriately recognized for who you are.

**Mr Kormos:** All the more reason to have an election.

**Ms Churley:** Yes, all the more reason to have an election. That was not a point of order.

So we have Mr Curling appointed as the Speaker by the two parties from a backroom; Mr Crozier as Deputy Speaker, appointed in a backroom by the two majority parties here; Mr Arnott appointed by the two parties with the majority here in a backroom, with no consultation with the New Democrats. A backroom deal, that's what we're seeing here all the time now, with no consultation with New Democrats. We have four males in the chair with no representatives from the females in this place. We had the member for Mississauga South heckling a little earlier when I raised this as a concern, saying, "What's that got to do with anything?" Mr Speaker, I would submit to you that it's got everything to do with everything around this place, and democracy, and trying to change the rules in a way that we in fact enhance democracy, and the government doing things to show that it was serious when it talked about enhancing democracy.

So not only do we have an arrogant new government now who's making backroom deals with the Tories and leaving New Democrats out because, as they like to say, "You're not a party. We don't have to talk to you." If that's your attitude, this is what you get. These are the rules we're going to play by, because we are playing by the rules. It is unfortunate that we're not seeing a woman appointed to this chair tonight, since we're having appointments. I mentioned that the—

*Interjection.*

**Ms Churley:** I'll let you stick with that.

I mentioned the member for Don Valley West. She said, "Well, I'm new here." That might be a problem, but then—

**Mr Kormos:** That's not a problem.

**Ms Churley:** I don't think that's a problem. She's very smart, dare I say smarter—no, I won't say that. We have the member for Sarnia, who is experienced and in fact has sat in the chair on many occasions. Why not her? Why could not this government, along with the Tories, if they're not going to consult with us—we would have appointed a woman; we didn't have that opportunity. I



don't mind that much. I'm really busy. But I think when people turn on the TV and are watching this place, it's a good example to all the little girls out there, all the women out there, that there are some women in the chair running this place. It's really too bad that both the parties who made this decision didn't go there. I do want some members to reflect a little more on that. It's very important. I say to the member for Mississauga South, it's extremely important and he should reflect on that. On that, I move adjournment of the House.

**The Acting Speaker:** The member for Toronto-Danforth has moved adjournment of House. Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please say "aye."

All those opposed to the motion, please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 2145 to 2155.*

**The Acting Speaker:** All those in favour of the motion, please rise.

All those opposed to the motion, please rise.

**Clerk of the House:** The ayes are 6; the nays are 26.

**The Acting Speaker:** I declare the motion lost.

**Ms Churley:** What I said earlier today in private members' business, when the member for Grey-Owen Sound, Mr Bill Murdoch, had a democracy private member's motion put forward which won today, and it still stands, is that where you stand depends on where you sit, and that just about sums up the situation we find ourselves in here. It really does depend on where you sit in this place, and when you sit in the government benches, fine democrats—and I don't mean New Democrats; I mean fine democrats like the member for St Catharines and some of the others who, when in opposition, spoke so passionately and so well. I was so impressed. They were my mentors in many ways about democracy and the rights of minorities. They stood up for democracy and stood in their seats and defied the rules sometimes. They were here—Mr Bradley—when I was here. They not only worked with the rules that we have for democracy but defied the rules to make a point. It's just sad to see how that all changes when members sit across the floor on the government side.

**Mr Michael Prue (Beaches-East York):** I've sat in this chamber for a couple of years. I often watch members, as I am watching here now, read newspapers, most often the Globe and Mail. I can't see from this angle whether in fact that is the Globe and Mail, but if it is, there is a point to be made. I would invite all the members who have a Globe and Mail to open it up to the section with the editorial, because I have been a great fan of the saying that's at the top of the Globe and Mail that has been there for as long as I can remember, since I was a boy. It reads as follows, and I think it's very germane to this debate: "The subject who is truly loyal to the chief magistrate will neither advise nor submit to arbitrary measures"—Junius.

**Mr Mario Sergio (York West):** Who said that?

**Mr Prue:** This is Junius. It's in the Globe and Mail, and it's been there for many years. It tells ordinary peo-

ple, it tells legislators, it tells lawyers, it tells magistrates, it tells anyone in authority and those who are not in authority that if they are to be truly loyal to their country, truly loyal to democracy and truly loyal to the chief magistrate, they should never, ever advise or submit to arbitrary measures.

If you want to know why New Democrats are standing here tonight, and if you want to know why we're here at 10 o'clock, that is because this is an arbitrary measure. This is a measure that has never taken place before in this province. As a matter of fact, I am unaware that it has ever taken place anywhere in Canada.

We have rules and we have procedures and we have laws, and all of those, sadly, have been abrogated today. All of them have arbitrarily been taken away and a new rule, hitherto unknown to all of us, is being enforced, and enforced particularly upon the minority.

**2200**

The rule of law is something that I think we as Canadians hold dear to our hearts. In fact, the rule of law is equal in importance to, and some might say more important than, democracy itself. It is what separates us from anarchy. It is what allows for a civilized society. It is what we have fought for and it is what some people have died for. The rule of law ought never, ever be arbitrarily dismissed and arbitrarily changed for expediency, and for expediency's sake alone. I can see nothing else tonight except that this is expedient for the government in power that wants to get on with the business at hand and wants to do it in a way that crashes upon the rights of the minority.

The rule of law is enshrined in the Canadian Constitution. The rule of law is enshrined in all of our history. If you look to the country to the south, the rule by which they go is, "life, liberty and the pursuit of happiness." In 1865, when the Fathers of Confederation, who are all immortalized in a painting just outside this chamber, got together and thought about what would make Canada great, the motto by which we should live, by which we should strive in our democracy, they chose "peace, order and good government." The order came from the rule of law. That was of such fundamental importance that to them order was more important than life, liberty or the pursuit of happiness.

We as a country have gone to great lengths to enforce that over the years. In fact, the reason I think all of us are here in this chamber tonight is to uphold the rule of law. As parliamentarians, as politicians—some of us came from other levels—if we disagreed with the law, we went to change the law; not arbitrarily but with sober second thought, with passionate debate, considering all of the facts, we went to change it.

We have before us tonight the Ontario Legislative Assembly Act. It clearly sets out, enshrined in the rule of law, what we as parliamentarians need to do in the election of a Speaker and of Deputy Speakers. Where there is a conflict in law—and I'll take all the lawyers in the room back to Law 101—what predominates first is the Constitution. If it is not found in the Constitution, you



look to the statute law. If it is not found in the statute law, you look to the regulation. If it is not found in the regulation, you look to the policies and procedures that are normal practice. Lowest on the totem pole are the policies and procedures that are ordinary practice. Much higher is the actual statute itself.

Throughout my history as a parliamentarian, as I guess a lawgiver, as a mayor, as a councillor and as a city councillor in the megacity—we were called upon from time to time by our citizens to challenge the rule of law. I want to tell you I would never, ever do that. We were challenged by our unions, when I was the mayor of East York, not to follow the dictates of this august chamber when the government of the day, the Bob Rae government, had the social contract. We felt very uncomfortable, and I have to tell you that I felt very uncomfortable as a mayor, imposing the social contract upon the workers of East York. They begged us not to do it, and I told them quite frankly that I could not. As the chief magistrate, as I then was, to the borough of East York, it was my duty to uphold the law. It was my duty to abide by it even though I might be in disagreement. It was their duty as subjects to do so too.

The amalgamation, again imposed by members of this august chamber: The residents of East York overwhelmingly voted against it—82%. They wanted us to do extraordinary measures. People were talking about barricading the streets; people were talking about taking the law into their own hands. That was the strength and the conviction they had. Although with all my heart I opposed amalgamation and continue to do so, and continue to think it was a bad idea, I told them that could not be done, because the importance was not one piece of legislation, not a government we hated, but to uphold the rule of law—that if we did not like the law, we should change it. That is what, in part, made me want to come here: to change that law and to change other laws that I disagreed with.

There is no defence here tonight. I understand what the Speaker said and I am reluctantly standing here in total opposition to what was stated. There is absolutely no defence that the law is outside the realm of this chamber or outside the duty of the Speaker to interpret. We all, as legislators, must interpret laws. We must all live by those laws. We cannot arbitrarily change them because they are expedient, because they are going to allow a group of people to have what they want on that given night, to the benefit of themselves or to the detriment of others. That is what we must rebel against. That is what we must say no to. That is what we are here for. All of us have that duty. Whether you exercise it tonight or whether you allow this travesty to happen, you must eventually come to that same conclusion yourself. I'm sure you will. You will all stand here some day, if you are lucky enough to be in this Legislature long enough, and say, "This is not right. I must oppose it. This is arbitrary. I must not submit to it."

A member of this Legislature said it very well and I'd like to quote him. I quoted him the other night, but I'd

like to quote him again, because I think what he said on that day is germane to what all of us must think today. The member I'm quoting is the now Premier, and I take this quote from Hansard, May 13, 2002. He was speaking to the then Premier of Ontario, the Honourable Ernie Eves, and was upset that the then Premier was flouting the law of the province of Ontario. He said:

"Premier, you have a majority.... I expect that you will govern it fairly and with respect. As long as you do that, I will give you whatever help and support that I can, because that's my job. If you fail to do that, I will put as many roadblocks in your way as I possibly can, because that too is my job."

The members in this House tonight have said many times, and made accusatory statements against members of the New Democratic Party, that we are obstructionist. Perhaps we are, but we have cause to be. You have said that you want to go home, and so do I. You have said that this is OK because it has the support of the majority of the members of this House. But I would submit, and I would ask that you all reflect: If we are truly loyal to the chief magistrate, if we are truly loyal to Her Majesty the Queen, to whom we have all taken an oath, if we are truly loyal to this Legislature, if we are truly loyal to the process of democracy and to the rule of law in this province, we cannot—not one of us—either advise that we continue with this motion, nor should we submit to it.

We are here as a small group in the corner. Life is very difficult. But we know and I know and you all know that the decisions made here today, the procedures that are made here today, will have precedence to future Parliaments, to future Legislatures. If you weaken the cause of democracy, if you allow this to happen, then in fact what you are saying is that this Legislature is becoming less and less relevant, to the point that we might as well just elect a person to be the Premier and to dictate the position. We might as well say that our voices should not be heard.

I do not believe that that is the intent of the members of this Legislature. I believe you are all honourable people. I cast no aspersions on those who seek these offices, either by appointment or by election. I cast no aspersion that they are motivated by money or greed or the lust for power or anything else that has been said here tonight. But what I will say is that we should do what is right: We should follow the law; we should be proud of our traditions; we should be proud of our laws; and if those laws are in conflict with what the majority wants to do, then we should change those laws. But we should never, as Junius said, arbitrarily submit to them.

I've spoken long enough for now. I would like people to reflect on that with all seriousness, just once, and I would ask for an adjournment of the debate.

**The Speaker (Hon Alvin Curling):** The member from Beaches-East York has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

I heard a no, and I heard a yes.

All those in favour of the vote to be cast, say "aye."



All those against, say "nay."

I think the nays have got it.

Call in the members. There will be a 10-minute bell.

*The division bells rang from 2212 to 2222.*

**The Speaker:** Mr Prue has moved the adjournment of the debate.

All those in favour of the motion, will you please rise to be counted.

All those against, please rise.

**Clerk of the House:** The ayes are 5; the nays are 25.

**The Speaker:** I declare the motion lost. Mr Prue?

**Mr Prue:** I had hoped that you might have taken the time to reflect upon my words. It seemed that I was accorded the most unqualified silence I have ever experienced in this House without heckling. I would thank the members for that, because what I was trying to tell you was of utmost importance, at least to me. I think what we all need to reflect upon, as legislators—

**Hon Mr Bradley:** Marion Bryden never moved adjournment of the House.

**Mr Prue:** The heckling has started again, and I guess I must get used to that.

We do not arbitrarily submit, as I was saying, to the ruling of the person who was in the chair—I can't even say "Deputy Speaker" yet.

**Mr Marchese:** The member from Essex.

**Mr Prue:** The member from Essex, who was sitting—

**Hon Mr Bradley:** You're looking very leader-like tonight, very leader-like.

**Mr Prue:** OK. I guess I have been a leader for a long time in many respects.

We do not arbitrarily submit to that. We believe that it is wrong. I am saddened, as I have said, at what has happened here today, and I am saddened at what some of the next steps might be. The steps do not involve throwing up roadblocks, in following what Dalton McGuinty told us all very poignantly we must do, and that is not to submit. What I think it now involves is a time of a different kind of politics. The members of the House have spoken. They have said that they do not want to reflect upon where we are going.

I remember many years ago, as a much younger man, watching Pierre Trudeau on the national news talking about members of the House of Commons being nobodies when they were but 100 feet or 100 yards outside the House of Commons, and that their role at that time was increasingly being diminished. I remember being angry at what he had to say. I remember being disappointed as a Canadian at what was being said about them.

**Mr Sergio:** On a point of order, Mr Speaker: The clock got stopped.

**Mr Prue:** I thought I had forever.

I remember as a Canadian being disappointed, and I remember, being, I think, an astute student of politics, feeling that that was a shame. To me, what happens in the Legislatures and in the House of Commons is not only germane to all of us, but it is important to all of us. The people who are elected should be shown respect, they

should be listened to. Their views will, of course, always differ and should always differ. If they were always the same, we would not need a Legislature, we would not need a House of Commons.

It appears that the minority, in this case us, will have to abide by the tyranny of the majority. I guess the tyranny and the majority will overrule. The tyranny and the majority will say what we have to say does not matter. They will say whatever is expedient and whatever must be done in order to go home early. Whatever must be done to get the legislation done will be done.

I have to tell you that is disappointing. Today is very disappointing to a naive guy like me, who came here hoping to change just a little bit, or if not to change, at least to preserve the history and the culture of our democracy, and the tradition that I have grown up with and have always tried to preserve. I have commented to people around the world that there is one thing about Canada, and that is we are tolerant of our minorities. We listen to them, we allow protestors, and even when we disagree with them, we allow them the opportunity to say it. We have those who champion them, the courts that will champion them, this Legislature that will champion them, the free press that will champion them.

Much has been said about other alternatives. I heard my colleague from Toronto-Danforth talk about the possibility of having a woman appointed as one of the Speakers. I listened very carefully to her, and I have no difficulty with what she's saying, that a woman should be here. But to me that is not as high an issue and not as fundamental an issue as the rule of law. The rule of law seems, unfortunately, to be taking a back seat.

All I can do is what Dalton McGuinty advised so well to do, and that is to throw up another roadblock. So I would move adjournment of the House.

**The Speaker:** Mr Prue has moved adjournment of the House. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour, say "aye."

All those against, say "nay."

I think the nays have it.

Call in the members. It will be a 10-minute bell.

*The division bells rang from 2228 to 2238.*

**The Speaker:** Mr Prue has moved the adjournment of the House.

All those in favour, please rise.

All those against, please rise.

**Clerk of the House:** The ayes are 6; the nays are 28.

**The Speaker:** I declare the motion lost.

The member from Beaches-East York.

**Ms Churley:** Yell out this time.

**Mr Prue:** Mr Speaker, I have been advised to yell, but I don't think I can. My heart is broken, and I don't think I can do that.

I would like to state again for the record—you've heard it several times, and I want to say it one more time. I want you to all think about this. Go home and sleep on it: "The subject who is truly loyal to the chief magistrate will neither advise nor submit to arbitrary measures."

**Hon Mr Kennedy:** These are arbitrary measures.

**Mr Prue:** These are arbitrary measures you are doing, Mr Minister. They are arbitrary—

**Hon Mr Kennedy:** This is abuse of power.

**Mr Prue:** How can I abuse power? OK, now I have something to speak about.

*Interjections.*

**Mr Prue:** The power is exercised by the executive council. Anyone who knows—

*Interjections.*

**Mr Prue:** Here I am in the middle of heckling again. Just a little bit of a political lesson to the minister: Power is exercised by the executive council. It is the executive council that determines the laws that are put before the Legislature, and not the Legislature itself. We are here to speak to them, to give voice on behalf of our constituents who have sent us to this place. We are here to pass comment upon the various bills that you as an executive council put forward. It is you who have put forward this arbitrary measure for nothing other than expediency's sake, and expediency's sake is trampling upon the rights of the minority. Again, it's a sad day.

**Mr Zimmer:** Go win another seat.

**Mr Prue:** I've been told again for the umpteenth time to go and win another seat. That seems to be the answer from the members who have given no real thought to what has happened here tonight. I tell you we will win another seat. It will be our goal, and we will be successful in winning another seat. I am waiting for one of you to vacate yours. I am waiting for you to run in the federal election. We are waiting for you to quit, we are waiting for you to determine that this not the place or, conversely, to come on over, because we are right, and when you reflect upon it you will realize that and will want to be on the side that is doing the right thing.

**Mr Marchese:** I want to welcome the citizens of Ontario who might still be awake watching this parliamentary channel. If they are, it's 20 to 11 and we are on live; it's not a repeat. So stick around. We still have another hour or so of discussion—not much debate, but discussion.

I want to get immediately into the ruling made by the Speaker—the member for Essex, who was in the chair—deciding on a point of order moved by the member for Niagara Centre. Paraphrasing what he said, the Legislative Assembly Act requires that there be an election, and he argued that that overrides the standing orders. It seemed to me a very reasonable argument to make. The presiding Speaker, the member for Essex, didn't do what the member for Niagara Centre recommended, and that was that he should step aside because there was a clear conflict in this case. He refused to do that.

**Mr Kormos:** That was the first test.

**Mr Marchese:** That was the first test that was put to him. Then, after making the arguments on the point of order about the Legislative Assembly Act overriding the standing orders, he stood there in the chair.

I have two suggestions for the Speaker. One was made by the member for Niagara Centre, which was that he

should have decided to step aside as a way of showing objectivity, as a way of showing impartiality vis-à-vis the point of order. My second suggestion, as a way of showing objectivity, would have been for the member to recess this House for whatever time he might have deemed necessary—10, 15, 25 minutes—as a way of showing this House that the point of order put forth by the member for Niagara Centre had merit. We believe the point of order had merit, and we believe the presiding Speaker at the time should have considered it by recessing, if ever so briefly, to give the appearance of having thought about it, but he didn't do either of the two: stepping aside or recessing to show that perhaps there could be some doubt in his mind about the ruling that he was going to make, ruling against the point of order, or to show at least that he's willing to talk to the Clerks who, of course, may have had some opinions to offer. Maybe they did offer counsel to him and that's why he didn't recess, but I would have recessed.

**Mr Baird:** On a point of order, Mr Speaker: This is actually a serious point of order. The member opposite has gone on for some time now dissecting a ruling by the Speaker that was made earlier this evening. The standing orders are exceptionally clear that when the Speaker, whether it's you or whoever is in the chair, makes a ruling, it is not up for debate. I think he's bringing, in all seriousness, great disrepute to the respect that all members should have, whether they agree or whether they disagree with your ruling, that he is not entering into debate on the motion present, but he's also entering into debate about an earlier ruling that Speaker Crozier made. I would ask you to rule on both points.

**The Speaker:** I want to thank the member from Nepean-Carleton for his comments. As I listened carefully, I know of your concern, but the fact is, member from Trinity-Spadina, the Speaker did make a ruling on that. I ask you to proceed in debating the motion that is on the floor, and not to again address the decision of the Speaker that was made previously.

**Mr Marchese:** I should point out, with due respect, that I wasn't challenging the ruling of the Speaker. I merely offered some suggestions, given the point of order that had been raised. If you review the remarks I made, I didn't challenge the ruling. I offered advice on how to proceed with the ruling that he made. If that's a problem, then you can rule that out of order.

But these are the suggestions I offer to them in the same way that I offer another suggestion to the other presiding Chair, the member for Barrie-Simcoe-Bradford, Joe Tascona, who, on a point of order moved by the member from Oak Ridges, which in my humble view was quite clearly not a point of order, allowed the member to go on and on and on. I offer a suggestion to the presiding—

**Mr Baird:** On a point of order, Mr Speaker: This is again a very serious point of order. The member opposite is proceeding to, in a legislative sense, surgically dissect Speaker's rulings. I think that poses great concern for all members of the House. He's entering into debate about



rulings that the Speaker has made. That's explicitly forbidden in the standing orders. It causes concern. I quite often disagree with the Speaker's ruling and I quite often disagree with your rulings, but you have to be the ultimate referee. You have to be the one who is elected by all of us to make these decisions.

I have great concern that the member is persisting in doing that. I think he's showing flagrant abuse to your request that he speak to the motion. But it's not just the fact that he's not speaking to the motion; it's the fact that he's continuing to, in a legislative debate, surgically dissect those rulings and offer commentary and suggestion, and that's not permissible.

**The Speaker:** I know that the member from Trinity-Spadina has the utmost respect for the Chair and the Speaker. I would also say that, as you make your comments, please address them to the motion on the floor itself. Some of your suggestions, of course, have no impact on the decision the Speaker has made already, so I would ask the member—

*Interjections.*

**The Speaker:** Order. Please, members, would you mind sitting? Then could I ask the member to keep addressing his issue to the motion that is on the floor? Thank you.

**Mr Marchese:** Responding to the motion here, I know that government members obviously say they want to play by the rules, they are playing by the rules. We, as the third party here, clearly want to play by the rules as well. It is our role and our function as opposition members to play by the rules, exercising the rights given to us in this place and getting guidance from the Legislative Assembly Act in terms of what we can and cannot do. While it is clear that some of the members don't like that, we tell the citizens watching this parliamentary channel that we are doing what we are duty-bound to do as members of this place.

2250

I know the government members would like to be able to run this place ex cathedra, by fiat. The Conservative members did it before them. That's why Conservative members have no problem with the Liberals changing the rules when they need to, to suit their own needs, because they did it in ways that were criticized viciously by the Liberals, the then official opposition. But once the Liberals are in power, they don't seem to like the fact that opposition members do what they have to do. I know the member from St Catharines understands this very clearly.

We are doing our job. I understand and know and believe that the rump here—and I don't mean that in a derogatory way—believes otherwise. They believe—I think this is misplaced—that this minority is overriding them and the majority of Liberals. How could a little group of seven New Democrats override the will and power of this majority Liberal government? How is it they can claim there is a tyranny of a minority over a government that has absolute power to rule and to do what they want, day in and day out? And they do,

because they can. But to hear the rump here next to me and the chatter that I hear regularly, you would think that we are running this assembly, that we are in charge, and that they are victims of this tiny little minority of seven New Democrats. It ought not to astound some of you, but it's true. This is what they say. It's a tyranny of seven.

Monsieur Duguid, I invite you to speak, because I know you need the practice in this assembly. Get up and gesticulate, as you might want or not, stand still, as you might want or not, show some emotion if you want or not. Do it. You've got the time and this is your opportunity to do it. You've got to get up and speak, exercise your power. I don't understand why you would be so silent when you have the ability and the power, member from Scarborough Centre, to get up in this place and defend yourself and your government. Please do that. That's what I think you should be doing, unless you want to communicate to the public that we are overriding, poor member from Scarborough Centre, with our power, omnipotent, omnipresent in this place, and that you are powerless sitting there in the back reaches of this place and can't say a thing. You can. Unless of course the whiz kids who are now running the Liberal Party are dictating what it is some of you can and can't say.

I remember Jim Bradley, the then opposition member, constantly attacking the Conservative government. With glee he would do it, talking about how that government was run and overrun by the whiz kids. I don't think Liberals have whiz kids, do you? What do they have, a different brain trust? What are they called? Beware of the whiz kids. I tell you, you've got to stand up for yourself and debate in this House; otherwise they're going to silence you. And it won't be because seven New Democrats are forcing you to do it; it will be because the whiz kids running the Liberal circle—

**Ms Churley:** The old boys.

**Mr Marchese:** The old boys and girls, I suspect.

*Interjection.*

**Mr Marchese:** It could be old boys as well; I don't know.

We are saying to you that when you dictate the rules and when you say, "We have made our decision," because the recognized parties—the Liberal Party and the Conservative Party—have the numbers to be the official parties in this place, and as such, only they can decide what can happen in this place. So they've decided to override the Legislative Assembly Act, which says there ought to be an election of the Deputy Speaker and the others, because they have an agreement with each other to do so.

We're saying we are part of this assembly. This is a New Democratic Party, a caucus, that has a role to play, and we're playing it. If we are not consulted and we are not part of the decision-making in this place, then we will exercise the rules of this place to participate, as we should.

I don't take too kindly to the fact that some of the members think this is a game. I know the Minister of Education said, "This is about private interests." What is

that? What is it about what New Democrats are raising that has to do with private interests as opposed to the public interest? The member for Eglinton-Lawrence said, "This is procedural gymnastics," as if we're simply having fun and it's just a game for us.

It's neither a game nor anything to do with private interests, but everything to do with protecting the public interest. That's why we're here. We don't just represent the private interests of Rosario Marchese, Peter Kormos, Shelley Martel, Michael Prue, Marilyn Churley, Gilles Bisson and Howard Hampton—all New Democrats. We don't merely represent ourselves; we come here elected by many: New Democrats mostly, and others—Liberals and Conservatives probably supported me, I'm sure. I don't represent a single private interest, either mine or someone else's, but the interests of all those 19,000 or 20,000 people who voted for me, in the same way that others voted for our members to represent a public interest, with particular views shared by many—not by one, not by two, not by seven, but by many.

**Interjection:** Is there a motion coming?

**Mr Marchese:** There is a motion coming, because we want everyone in this place—Liberals and Tories, who have colluded with each other, not just once, but many times—to reflect on what I and others have said. With that, I call for adjournment of the debate.

**The Speaker:** Mr Marchese has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour of the motion, say "aye."

*Interjection.*

**The Speaker:** Mr Bisson, I would much appreciate it if you were in your seat and stopped heckling. If we talk about decorum in the House, I'd like us all to respect that.

All those against, say "nay."

I think the nays have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 2258 to 2308.*

**The Speaker:** All those in favour will please rise to be counted.

All those against, please rise.

**Clerk of the House:** The ayes are 5; the nays are 26.

**The Speaker:** The motion has been lost. Mr Marchese?

**Mr Marchese:** I want the citizens of Ontario, the members of the Liberal Party and cabinet ministers to reflect on yet another thing, and it's worthwhile—

**Mr Baird:** What about me?

**Mr Marchese:** —including the Tories. But you're so much in collusion with the others that speaking to them is like speaking to you directly.

Reflect on this: Monsieur McGuinty, when he was then the opposition leader, said the following. He was talking to the then Premier Ernie Eves: "Premier, you have a majority." Listen to this, Gerard and Jimmy:

"I expect that you will govern it fairly and with respect. As long as you do that, I will give you whatever help and support that I can, because that's my job. If you

fail to do that, I will put as many roadblocks in your way as I possibly can, because that too is my job."

I say to you that we are doing our job. In the same way that Monsieur McGuinty was asking to be treated fairly and with respect, we're asking the same of him and of you. If you do not offer that fairness and respect, we are going to do our job of putting as many roadblocks—says he and say we—as we can, in order to be heard and in order that we can represent those who supported us. There aren't just a few, but many. Close to one million people voted for us. That's not a few people; that's a lot of people. We represent them. We are their voice.

If we are not heard, it is our duty to put as many roadblocks as we can, using the rules of this place to do that. As I asked you to reflect on what I said earlier, I want you to reflect on what your leader said then that he should now be practising as the Premier of your party. I want you to reflect on that as I move adjournment of the House.

**The Speaker:** Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please say "aye."

All those against, say "nay."

I think the nays have it.

There will be a 10-minute bell.

*The division bells rang from 2312 to 2322.*

**The Speaker:** Mr Marchese has moved adjournment of the House.

All those in favour, would you please rise and be counted?

All those against, please rise and be counted.

**Clerk of the House:** The ayes are 5; the nays are 25.

**The Speaker:** I declare the motion lost.

**Mr Marchese:** Reflect on this, Speaker, and other Liberal members. McGuinty said the following: "The Harris-Eves government has simply not been kind to democracy in Ontario. For example, they have severely limited debate in the Legislature. In their first term, they changed the rules 42 times to restrict debate and limit the power of elected representatives. That's 42 times. They have forcibly closed debate on 60% of the bills presented at Queen's Park—60%."

**Mr Baird:** We should all go home and have a shower.

**Mr Marchese:** John Baird, quiet.

"By way of comparison, in 1985, that figure was 1%." That was Monsieur McGuinty, the then-leader of the Liberal Party.

I say to you, it was bad then and it's getting worse now, and motion 13 is worse than what we've ever seen before.

**Ms Shelley Martel (Nickel Belt):** I don't enter this debate tonight with any great pleasure. Some members might not believe that, but I would rather be home with my kids as well. I think, through the course of the debate, you will understand how concerned I am about where we find ourselves this evening, following on the heels of another motion earlier this week which I think is really detrimental to this House and to democracy generally.



For people who are just tuning in, it's probably worth backing up and talking about the motion that we are dealing with and what happened a little bit earlier. At the start of this evening's session, the government called government notice of motion number 10, standing in the name of the House leader, Mr Duncan. It says the following:

"That Bruce Crozier, member for the electoral district of Essex, be appointed Deputy Speaker and Chair of the Committee of the whole House; that Ted Arnott, member for the electoral district of Waterloo-Wellington, be appointed First Deputy Chair of the Committee of the whole House; and that Joseph Tascona, member for the electoral district of Barrie-Simcoe-Bradford be appointed Second Deputy Chair of the Committee of the whole House."

The key word that people who are watching need to have highlighted for them is "appointed." By the motion that we are dealing with tonight, these three people, none of whom I have any complaint with on a personal level, will now essentially become officers in this assembly, ostensibly serving all of us as members.

The key word is "appointed." They are being appointed as a result of essentially a backroom deal between the government and the official opposition, with no input and certainly no consensus from the members of the New Democratic Party. That of itself is a problem that I'm going to deal with.

The second, more serious, problem is that the Legislative Assembly Act, which we should be abiding by, says something quite different with respect to the election of the Deputy Speaker. In subsection 28(1) of the Legislative Assembly Act, it says, "The assembly at its first meeting after a general election shall proceed to elect one of its members to be Speaker and one of its members to be Deputy Speaker."

The key word here is "elect." There should have been an election for this position, and there will not be. There will not be because of what happened here tonight, which I think is a real tragedy. Essentially, the law just got thrown out tonight. The Legislative Assembly Act got thrown out because the member from Essex decided that he didn't need to bother himself with the details of the law, and the House will now be forced to live with that decision.

I want to tell members of this House that I don't willingly submit to that ruling or that decision. I don't willingly accept that decision that was made by the member from Essex to essentially throw the law out the window and have it overridden by a government motion. When we start doing that, when we start overriding the act and allowing government motions to supersede the law, what's the point of having the act at all? What's the point of having any debate in here at all? Maybe cabinet can just come in and run the whole place and shut down any legitimate debate from any of us, who were also elected in our own ridings.

I have a right to be here. I was duly elected.

**Mr Levac:** On a point of order, Mr Speaker: I think this was requested before you sat in the chair, that the

Speaker was being challenged. I wonder whether that is in order.

**Mr Kormos:** On the same point, Speaker: This, with respect, is the problem. The motion seeks to place the member for Essex in the position of Deputy Speaker. A consideration of—

**The Speaker:** Order. I've listened very carefully to a number of members from that side, and somehow I think you're questioning the Speaker's decision. I just want to caution you that, as the Speaker has ruled on that, I hope you're not questioning the decision of the Speaker. I would warn the member to continue to speak on the motion and stop questioning the decision of the Speaker.

2330

**Ms Martel:** Speaker, I'm making the point that I will not willingly submit to the decision. It's been made. It's been forced on the House. I don't accept it.

Now, the government members who have been here tonight speaking about this say that it's OK to do things this way because the two recognized parties in this assembly, the government and the official opposition, agreed who should have these positions. So you don't obviously need to apply the law, because the recognized parties have that agreement about who should be appointed to these positions, and they've been named in the motion. I don't agree with the argument that the government and the official opposition have made here this evening. You have no right to go down that road just because you're in collusion to try and expedite business around here. You have no right to do that, and that's what's happening here this evening.

Secondly, just because you've entered into some kind of backroom agreement doesn't mean you have the right to trample on the rights of the minority. I am one of a number in that minority. We don't agree that we should have appointments of the three members to be Deputy Speaker and Chair of the Committee of the whole House or the First Deputy Chair of the Committee of the whole House or the Second Deputy Chair of the Committee of the whole House. There is no consensus here amongst all the members. We should be having an election. We should have had an election. That's the way we should have spent the time tonight: having an election.

You might be able to come forward with a consensus on this matter, and that's fine. Perhaps there would have been consensus on these positions, if the government and the official opposition—but particularly the government—had decided that they were going to consult with the seven of us about this matter. Because, as members here, we have to live with those people too, not just the official opposition and the government. It's true that often in the past, as a result of having that discussion beforehand with all the members in the assembly, there has been consensus about who would have those positions. But of course that kind of consultation hasn't been happening around here since this Legislature sat. It hasn't been happening.

I guess the Liberals believe that they don't have to talk to us because we don't have official party status—

**Mr Kormos:** Pursuant to the Legislative Assembly Act.

**Ms Martel:** Pursuant to the act. We won't say anything more about that act tonight, will we?

You might want to try and keep that up for a while. You might want to ignore us. You might want to see how much you can limit our participation here or in committee or in subcommittee, which some of us faced today. You might not want to consult with us about scheduling the business around this place and scheduling committee hearings etc, but I have to tell you that if you want to act in that way, then for my part, for our part, we'll use the rules to the fullest. We will use the rules to our advantage. We will make the point by using the rules that as duly elected members here, as members of an NDP caucus, we have a right to be heard, we have a right to participate, we have a right to be included in the deliberations in this House, and we are going to exercise that right to the fullest extent we can, one way or another, day in, day out, every day that we sit. That's what we're going to do.

I think that I, and we, not only have a right, we have a duty, we have an obligation to participate. We have an obligation to be a part of the deliberations. We have an obligation to participate in committee and subcommittee, because we were duly elected to do that. This party got 15% of the vote. We got 60,000 more votes than in 1999. I am here, and we are here, to fully represent those people who decided to vote for us in this last campaign. We are going to look to the rules to ensure that we meet our obligation, not only to our constituents who elected us in our own ridings, but to those other people in other ridings in Ontario who voted New Democrat too. We have an obligation to represent them, and we're going to do whatever it takes, using the rules, to make sure we live up to that obligation here in this House, in committee and in subcommittees. That's what we will do.

As I said earlier—and this is a classic example; it's why we're here tonight—the government can choose to ignore us. They did with respect to the positions we are talking about now. We have, in the past—and I've been a member here for 16 years—come to a consensus about the appointments of those people in those positions. But the government doesn't want to include us in those negotiations. That's fine. So there isn't a consensus about those positions. There isn't an agreement about what happened here tonight. I'm going to be hard pressed to accept that those positions have been foisted on me when I had no say about them. I'm going to be hard pressed to accept that in the next couple of years as those people assume those positions. I don't wish any of them ill will—I've worked with all three of them—but what happened is not right. If this keeps on happening with other decisions that we would normally arrive at by consensus, that won't be right either, no matter how the rules or the assembly act is trampled on. It won't make it right.

Speaker, if I might, I would call for adjournment of the debate.

**The Speaker:** Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

Those against, say "nay."

I think the nays have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 2338 to 2348.*

**The Speaker:** All those in favour, please rise and be counted.

All those against, please rise and be counted.

**Clerk of the House:** The ayes are 5; the nays are 24.

**The Speaker:** I declare the motion lost.

Pursuant to the order of the House adopted earlier today, I am now required to put the question: Mr Bradley has moved government notice of motion number 10. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those against, say "nay."

I think the ayes have got it.

Call in the members. This will be a 10-minute bell.

Pursuant to standing order 28(h), I have a note from the chief government whip asking that Mr Bruce Crozier, member for the electoral district of Essex, be appointed Deputy Speaker and Chair of the Committee of the Whole House; that Ted Arnott, member for the—

**Mr Baird:** Dispense.

**Mr Kormos:** No.

**The Speaker:** —electoral district of Waterloo-Wellington be appointed First Deputy Chair of the Committee of the Whole House; and that Joseph Tascona, member for the electoral district of Barrie-Simcoe-Bradford, be appointed Second Deputy Chair of the Committee of the Whole House. He asks that the vote be deferred until December 8. The vote will be deferred.

## BUSINESS OF THE HOUSE

**Hon James J. Bradley (Minister of Tourism and Recreation):** On a point of order, Mr Speaker: Since business has been concluded, I'll give the business of the House for next week.

Monday, December 8: in the afternoon, Bill 2; evening, Bill 4.

Tuesday, December 9: in the afternoon, Bill 5; evening, government order number 2.

Wednesday, December 10: in the afternoon, opposition day motion; evening, the House is not scheduled to sit.

Thursday, December 11: in the afternoon, to be announced; evening, to be announced.

**The Speaker (Hon Alvin Curling):** It being almost 12 o'clock, this House stands adjourned until 1:30 of the clock on Monday.

*The House adjourned at 2352.*



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**Assemblée législative  
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Première session, 38<sup>e</sup> législature

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**Journal  
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**Monday 8 December 2003**

**Lundi 8 décembre 2003**

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers





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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 8 December 2003

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 8 décembre 2003

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### RURAL EDUCATION FUNDING

**Mr Garfield Dunlop (Simcoe North):** I rise this afternoon to make a few comments about the Simcoe County District School Board. In particular, I'd like to congratulate Ms Diane Bell, who was recently elected chairperson of the board. As well, I would like to congratulate Ms Debra Edwards, who was elected vice-chair of the board. Both of these women are especially committed to the quality of education in the county of Simcoe.

I'd also like to thank them for their commitment to small and rural schools. In the last Parliament, under the Harris-Eves government, 10 rural schools in my riding of Simcoe North received funding under the portable replacement program.

As the new Liberal government implements the remaining recommendations of the Rozanski report, rural Ontario will watch very closely to see if small and rural schools are funded fairly and equitably. In the last provincial election, the Liberals campaigned in Simcoe North by completely fearmongering the public, saying that Simcoe county schoolchildren were underfunded by a minimum of \$1,000 per child.

I now ask Minister Kennedy to immediately keep the Liberals' promise to raise funding by \$1,000 per child and have the Simcoe County District School Board and the Simcoe Muskoka school board receive an additional \$70 million approximately in the grant allocations in the budget year 2004-05. It is one thing to campaign on promises; it is obviously another to deliver. Simcoe county parents, teachers and students look forward to one promise the Liberals won't break.

#### NORTHERN ONTARIO

**Mr David Oraziatti (Sault Ste Marie):** It is my privilege to be here representing the riding of Sault Ste Marie. It is the first time a Liberal member has had this opportunity from our city since 1937. I'm truly honoured, and also proud, to be part of a new Liberal government that has been on the job since day one. We've already put forward an aggressive plan for change to address the

tremendous mismanagement of this province by the past Conservative government.

I would be remiss if I did not acknowledge your acclamation to the Chair of this House. It is clearly a reflection of the confidence members have in your ability to be fair and impartial.

I want to tell you that I have tremendous enthusiasm for our government's abilities to meet the needs and challenges we face in this province today. I am saying that because, without a doubt, the last time in the past 25 years the riding of Sault Ste Marie received significant investment and had economic growth was under the Peterson Liberal government. During the recent election, our party was the only party that took the needs of northern Ontario seriously and clearly outlined our plans in a document called True North.

Northerners once again have a renewed hope for their economic and social future and that conditions will improve, because our new Premier also takes the needs of northern Ontario seriously. It is my privilege to be part of a government that truly respects the interests of all Ontarians.

#### SCHOOL FACILITIES

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I rise in the House today to draw attention to another Liberal broken promise. During the recent election campaign, the Liberal education critic, Gerard Kennedy, promised residents of my constituency of Barrie-Simcoe-Bradford that, if elected, his government would get a school built on Cheltenham Drive in Barrie "right away."

The now Minister of Education made these comments to parents and to the media. He committed to helping the parents of Barrie and we have yet to hear from him since he has become the minister. It has been almost two months since Minister Kennedy was sworn in as education minister, yet he has failed to live up to the promises he made to my constituents. Not one phone call, not one letter, not one indication from him that he is working to keep his promise to build a school on Cheltenham Drive "right away."

What we have here is another Liberal who says anything to get elected and then once in office does something completely different or forgets his commitments. I stand here today to urge the Minister of Education to keep his commitment to the parents and students of Barrie-Simcoe-Bradford. On behalf of my constituents, I am asking the honourable minister to keep his word. Sit down with parents and myself, Mr Minister, and tell us



when we can expect the school on Cheltenham Drive to be built. When can we expect our students to be placed in real classrooms, rather than being bussed halfway across the city? We look forward to hearing from you.

### TEACHERS

**Mr Ernie Parsons (Prince Edward-Hastings):** I would like to use this occasion to say thank you to the teachers of Ontario. For the last eight years they have been vilified and attacked. During those eight years, they continued with the highest degree of professionalism. They continued to teach because of their love for teaching.

We have seen extracurricular activities flourish. We have seen teachers undertake tasks without the resources that they should have had available to them. We've seen special education underfunded for eight years. We've seen the lack of textbooks. Yet the teachers came to do what they love to do, which is to teach, and for any extra load put on them, they bore that burden.

Now, together, we can move forward, but we would not be in this position had the teachers maintained the quality of education that they have to this point. Dalton McGuinty, Gerard Kennedy and the Ontario Liberals believe there is no reason that we cannot have the best education system in the world. So to the teachers of Ontario, I say thank you, and I also pledge that, together, we will move forward to deliver the quality of education for the students. Students are and will continue to be number one to the Ontario Liberals.

### LCBO OUTLET

**Mr Jim Wilson (Simcoe-Grey):** I direct my statement today to the Minister of Consumer and Business Services. I asked the minister on behalf of the people of the village of Baxter, a small village located in my riding in the township of Essa, to locate an LCBO agency store in that community.

Visitors to rural Ontario—small town, small village Ontario—and the people who live there and the businesses that are currently operating in Baxter, for example, really need this type of presence and this type of service in their community. It prevents people from going outside of the village to do their shopping. In this case, the residents of Baxter have to go to Angus or Alliston or to Barrie to receive LCBO services. For some people, that's not such a great idea, to be on the road receiving these services and driving long distances. In fact, we have the support of the local OPP for this request.

During our time in office, we had a program to revitalize rural and small-town Ontario and villages, and we were able to establish in my riding LCBO agency stores in Minesing, Anten Mills, Singhampton, Feversham, Craigleith and Beeton. Every one of them has been a great success. Liquor store sales have gone up. Therefore, the Treasurer makes more money, and the convenience is second to none to people in these com-

munities. It helps save and revitalize these small towns and villages. Once again, I ask the minister to consider putting an agency store in the village of Baxter.

1340

### CARLO PARIBELLO

**Mrs Linda Jeffrey (Brampton Centre):** I rise today to share with the members of this House an extraordinary accomplishment of a constituent of Brampton Centre. Dr Carlo Paribello has been awarded the Meritorious Service Medal from Canada's Governor General. This award recognizes an activity, performed in a highly professional manner, of a very high standard, that brings benefit or honour to Canada. Dr Paribello, who runs a practice in my riding, was honoured for his work in creating the Fragile X Research Foundation of Canada, which he co-founded with his wife, Barbara, in 1997.

Fragile X is the most commonly genetically inherited form of mental impairment and developmental disability. It affects one in 2,000 males and one in 4,000 females. The Fragile X Research Foundation is run entirely by volunteers, professionals and parents of children affected by this disorder. By trying to speed up the progress toward effective treatments for Fragile X, Dr Paribello and the members of his organization are leading the way toward finding a cure.

I want to recognize and take this opportunity to thank Dr Paribello and his organization for his service, dedication and leadership in our community. He is an inspiration to the people of my Brampton Centre riding and serves as an example for all Ontarians.

### HIGHWAY CONSTRUCTION

**Mr Tim Hudak (Erie-Lincoln):** The media in Niagara were abuzz this weekend with the shocking news that the Dalton McGuinty government is slamming the brakes on a mid-peninsula corridor. We all know the importance of this highway for trade, tourism and development in southwestern Niagara, in fact in all of the peninsula, and Haldimand county as well. I'm rather puzzled why the McGuinty government would slam the brakes on what could be the most important project in a generation in the Niagara peninsula.

I know there are some members of the Liberal team—the member for Ancaster-Dundas-Flamborough-Aldershot, their candidate in the Kitchener-Waterloo area, among many others—who are questioning the need for a mid-peninsula corridor. We've been there. We've done that. The demonstration is very clear that we needed that highway yesterday, not in an additional three, four or five years from now, as the Liberal government plans to do.

I have to question too how this plays into their greenbelt strategy. It's a commendable idea to help preserve the tender fruit lands in the Niagara peninsula, but they should know the mid-peninsula corridor is an environmental solution. It helps with their greenbelt strategy. If

you want to take the pressure off the tender fruit lands in Niagara, the only way to do so is to build that mid-peninsula corridor expeditiously.

I call on my friends and colleagues across the floor to speak to the Minister of Transportation and say, "Let's move to the next step and get that highway built," to help with economic development and help preserve that green space they claim that they actually care about.

### HIGHWAY 3 BYPASS

**Mr Bruce Crozier (Essex):** On November 25, I asked a question in this House regarding the Highway 3 bypass. It's rather ironic that the Conservatives saw it as a hardball question. An independent member, on the other hand, saw it as a softball question.

Let me tell you about Highway 3 and the bypass. It's been the site of a number of fatal accidents. Speeding is common, and it's an important border link that our exporters use to ship goods to the United States.

I rose on a question in the House to nail down the status of expanding that highway. I didn't do it to please the government, the Conservatives or an independent member. I asked the question because it's important to the people of Essex. I determined the question. The minister, in reply, said, "Yes. We will improve safety on Highway 3, examining safety concerns that will identify any necessary improvements such as widening Highway 3." The minister went on to say, "I'll work with him"—meaning me—"and we'll work with the people in your region to make sure the improvements to Highway 3 take place."

I think that those are the kinds of questions we should ask and that should be answered. I'm quite satisfied that I'm the one to determine whether the question was answered appropriately.

### LIBERAL CAMPAIGN PROMISES

**Mr John R. Baird (Nepean-Carleton):** I'm very pleased to stand in my place today and congratulate two promising young Ontario people for their outstanding initiative and leadership. I want to speak to two young students from Thornhill who spent their own \$15 post a new Web site called "premier" unparliamentary word ".com." Apparently, it's become—

**Mr Tim Hudak (Erie-Lincoln):** What's the unparliamentary word?

**Mr Baird:** I can't say the unparliamentary word, but it rhymes with "fire."

**Mr Hudak:** It rhymes with "fire."

**Mr Baird:** It's causing quite a sensation at Queen's Park. "Kasra Nejatian, 21, and Kia Nejatian, 15, launched the site a few weeks ago to expose Premier Dalton McGuinty's flip-flops and broken promises. They got 1,200 hits within their first four days" of their Web site, and they've had offers of financial assistance to keep up the site.

While one of these students used to be a member of the Conservative Party, they've done this totally independently, on their own, and it's quite interesting. They have 100 people who have subscribed to "www.premier" unparliamentary word ".com," including—

**The Speaker (Hon Alvin Curling):** Order. Let me check on the clock. You were so excited that the clock ran out on you. Thank you very much.

**Mr Baird:** Point of order, Mr Speaker.

**The Speaker (Hon Alvin Curling):** I'll give you some discretion on the time. Complete it quickly for me.

**Mr Baird:** We have Premier Dalton McGuinty's own staff subscribing to "premier" unparliamentary word ".com." It does rhyme with "fire," as the member from Niagara said. The great thing is that they can now look at the Web site, look at the list of broken promises, and decide which promise they want to break next.

Congratulations to these two outstanding students, and for those of you who want to subscribe, it's "www.premier" unparliamentary word which rhymes with "fire" ".com."

### QUESTION PERIOD

**Ms Marilyn Churley (Toronto-Danforth):** This morning, the NDP member for Niagara Centre raised a red flag, warning about big problems here at Queen's Park. Dalton McGuinty fears tough questions. He's ducking hardball questions by stacking question period with softballs from his trained seals in the backbenches. Now question period is duller than Gigli, and just as enlightening.

Why is Dalton McGuinty afraid? Because take away those softballs, and our broken-promise Premier might have to face some uncomfortable questions. Take hydro. He could be asked: If you think it's time to depoliticize hydro, why are you sizing up the OPG CEO's office for John Manley? Where's your plan for energy conservation and efficiency? Will you waste more money on the white elephant Pickering? Why is it that after promising public power during the election, your energy minister says you might sell off a nuclear plant?

I say to Dalton McGuinty that playing games with public accountability is bad news for good government. Mr McGuinty, live up to your promise to make government more effective, responsive and accountable to the people. Stop the softball questions and face the hardball questions Ontarians want answered.

**The Speaker (Hon Alvin Curling):** The members are aware that no props must be displayed in the House, and that was very deliberate. I would not tolerate that in the future. If I spot it, I will not recognize you the next time.

### VISITORS

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** On a point of order, Mr Speaker: I want to recognize some distinguished guests in the east



gallery. The Ontario regional chief, Charles Fox, is here representing 136 First Nations in this province. He is joined by a senior policy adviser to the Ontario regional chief, Kimberly Whetung.

It is my pleasure also to acknowledge, in the east gallery, a great democratic renewal pioneer and a former committee clerk of this House, Professor Graham White.

1350

## INTRODUCTION OF BILLS

### PUBLIC SECTOR SALARY DISCLOSURE AMENDMENT ACT, 2003

#### LOI DE 2003 MODIFIANT LA LOI SUR LA DIVULGATION DES TRAITEMENTS DANS LE SECTEUR PUBLIC

Mr Duncan moved first reading of the following bill:

Bill 15, An Act to amend the Public Sector Salary Disclosure Act, 1996 / Projet de loi 15, Loi modifiant la Loi de 1996 sur la divulgation des traitements dans le secteur public.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

Government House leader?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I'll have a ministerial statement.

### ONTARIO HERITAGE DAY ACT, 2003

#### LOI DE 2003 SUR LE JOUR DU PATRIMOINE DE L'ONTARIO

Mr Brownell moved first reading of the following bill:

Bill 16, An Act to proclaim Ontario Heritage Day and to amend other Acts to include Ontario Heritage Day as a holiday / Projet de loi 16, Loi proclamant le Jour du patrimoine de l'Ontario et modifiant d'autres lois en vue de l'ajouter comme jour férié.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Jim Brownell (Stormont-Dundas-Charlottenburgh):** It gives me pleasure to introduce this bill, a time to recognize our province's First Nations people, a time to recognize the rich heritages of the anglophone and francophone communities and the diverse heritages that have been seen in our province in the last little while with the new Canadians. I'm really excited about this. I've had a long association with history and heritage in my community, and I look forward to moving this through the House.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### DEMOCRATIC RENEWAL

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** One century and more than 30 years ago—

**Mr Norman W. Sterling (Lanark-Carleton):** On a point of order, Mr Speaker: I understand that we're supposed to have copies of ministers' statements some time before. This government likes to hand them out at the very last moment because they're concerned that we might have some kind of constructive response.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. Are the statements being presented to the—

**Mr Sterling:** I haven't got it.

**The Speaker:** It's noted. The critic for the Attorney General states he hasn't got it. Order.

Have you got the statement yet? Minister, have you had the statements delivered to the critic?

*Interjection.*

**The Speaker:** I'm trying to obtain a copy for you.

May I ask, is this the only minister's statement we have?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** No, we have one other.

**The Speaker:** Would you mind going to the next minister's statement, then, and we'll take it on the second round.

**Hon Mr Duncan:** The McGuinty government is continuing to follow—

**Hon Mr Bryant:** On a point of order, Mr Speaker: The clock is at 17 minutes. Can we reset the clock?

**The Speaker:** If we had the documents in the critic's hands, we would not have this situation now. Let's proceed.

**Hon Mr Bryant:** Would it be appropriate to proceed?

**The Speaker:** You may proceed.

**Hon Mr Bryant:** All right, here we go.

One century and more than 30 years ago, our nation—

**Mr Sterling:** On a point of order, Mr Speaker: Could I have an English copy of this statement? I've been given a French copy of this statement.

**The Speaker:** I'm going to ask that you revert to the second statement.

### ONTARIO HYDRO GENERATION AND HYDRO ONE

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** The McGuinty government is continuing to follow through on its commitments to the people of Ontario who have chosen change. We're acting decisively to deliver on our positive change agenda and,

in the process, inspiring hope and optimism for the future.

We're doing things differently than our predecessors and taking government in a new direction to improve the way it works for the people of Ontario.

One very important change we are committed to is ensuring that the government of Ontario is responsible, transparent and accountable—a government that works for the people of Ontario.

We're committed to improving the value Ontarians get for the dollars they invest in public services. As outlined in the speech from the throne, the McGuinty government believes transparency and accountability are, indeed, the best safeguards of public service.

Ontarians understand more than ever that the seamless and cost-efficient generation, transmission and distribution of electrical power are integral to our economy and our standard of living. It is crucial that Ontario's electricity system be run efficiently and that it is managed in the best interests of the public.

Given the critical role OPG and Hydro One play in people's lives, it is important that we ensure that both of these publicly owned companies operate with transparency and accountability. We believe that Ontarians have the right to access information about the activity of these two crucial public utilities.

To that end, the bill introduced today proposes amendments to the Public Sector Salary Disclosure Act and would make the act applicable to Hydro One and Ontario Power Generation as well as to each of their subsidiaries. If the bill is passed by the assembly, these corporations would be required to annually disclose the amount of salaries and benefits paid to their employees who earn \$100,000 or more in the previous year, and this would be retroactive. Disclosure for the years 1999 through 2003 would be required by March 31, 2004; otherwise, disclosure would be required within one month of the bill receiving royal assent.

A regulation has also been made, pursuant to the Freedom of Information and Protection of Privacy Act. This regulation would ensure that all the records of Hydro One and Ontario Power Generation and their respective subsidiaries are subject to the provisions of the act.

This will ensure that the same rules apply to OPG and Hydro One as to other crown agencies and corporations and to publicly funded organizations already subject to this act.

We're cleaning up the mess left by the former government and working hard to fix what's broken. We believe that improved transparency and accountability at OPG and Hydro One will lead to better use of public funds. The previous government kept the public in the dark by not allowing them the right to access information from these organizations. Mr Speaker, we are only now, as we begin our term in government, learning what went wrong at these companies, and you can be sure that we will take every step possible to make things right.

Today's proposed legislation and announced regulatory provision would require Hydro One and Ontario Power Generation to be held accountable to Ontarians for the salaries paid to senior executives and professional employees. It would also ensure that the people of Ontario will be able to obtain information that is important for them to have in the interest of gaining a clear understanding of decisions undertaken that affect them.

Ontario Power Generation, for instance, is a publicly owned company that has, for several years, been making decisions without the benefit of public scrutiny. Is it a surprise, then, that the people are distrustful and angry, considering the massive delays and cost overruns at Pickering A? The people of Ontario need to be able to access information about important publicly owned companies, so that they may determine for themselves whether decisions are fair, prudent and in the public's best interests. After all, let us not forget that it is the people of Ontario who pay these companies' bills.

The McGuinty government will ensure that provincially held assets such as Hydro One and OPG are managed in the best interests of the public. By making Hydro One and Ontario Power Generation subject to the Freedom of Information and Protection of Privacy Act and the Public Sector Salary Disclosure Act, this government intends to make sure that these companies' decision-making and operations will become both transparent and accountable to the citizens of Ontario. We're changing the direction from the previous government. We're going to begin to clean up their mess.

1400

## DEMOCRATIC RENEWAL

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** One century and more than 30 years ago, a nation, a confederation, was born. Members of Parliament came together to debate and eventually proclaim the democratic system of responsible government that is now Canada's and that of all our provinces. The year was 1867.

In many ways, there have been few changes to our old 1867 democratic system. Voting still involves slips of paper and a ballot box. Provincial elections are called whenever the government decides they will be called. Parliamentary rules of conduct and the electoral system that puts us in these seats still very much resemble those of the 19th-century British Parliament. So the time has come to bring our 19th-century traditions in line with 21st-century Ontario. It's time to renew our democracy, for a change.

Today marks an important day in Ontario, one on which this democratic institution seeks to better itself so that everyone can better share in their government to the utmost. To do this, we must ensure that our democracy is more relevant and accessible to people. To do this, we must give people more and better opportunities to participate in government so that we can have a govern-



ment that works for Ontarians, for a change. This government will take bold, positive and historic steps to strengthen our democracy so we can improve our government and the way it serves people.

Two steps:

Step one is to get our own House in order. Already, the Premier has made an unprecedented change in how government works, dramatically expanding the role of government caucus members in policy-making on the very cabinet committees that determine what proposals come to cabinet for debate and decision. Under a McGuinty government, the job of government caucus members is not simply to take the message of the government home to the people but to take the message of the people home to the government before they make decisions.

Next, we want MPPs to be free to represent the views of their constituents and not simply parrot the views of their party on every single occasion. It is time to change the traditional practice of toeing the line on every single debate, on every single vote and on every single bill that enters this Legislature, and we will do that.

The great parliamentary assistant for democratic renewal, the member for Sarnia-Lambton, Caroline Di Cocco, will work with the government House leader and his counterparts to make any necessary changes to the standing orders that will assist MPPs, permit MPPs and enable MPPs to represent their constituents in this Legislature.

Next, we will introduce a bill that, if passed, would require cabinet ministers to attend at least two thirds of all question periods over a government's term in office.

Next, we will take steps to ensure that the days of shell games and secrecy when it comes to the government's finances will be gone. The people deserve to know how their tax dollars are being spent, so that they can have confidence in their democratic system. We will introduce a bill that, if passed, would make government and its spending partners more accountable financially by expanding the Provincial Auditor's ability to ensure taxpayers' dollars are spent wisely and to improve on transparency in the entire public sector.

Next, the operations of publicly owned Hydro One and Ontario Power Generation will once again be open to public scrutiny through a regulation that will permit them to be subject to the Freedom of Information and Protection of Privacy Act.

Next, a new sunshine bill will be introduced; if passed, it will require public disclosure of the salaries of Hydro One and Ontario Power Generation employees earning more than \$100,000. We're going to open up Hydro One and OPG and let the sunshine in.

Next, we will introduce a bill that, if passed, would end the practice of wasting millions of dollars on partisan advertising. Those days will be over.

That's all step one.

Step two of our plan is to strengthen our democracy to reach out to Ontarians and engage them in what will be the most ambitious renewal process Ontario has ever

seen. We will seek out the best possible innovative tools to update our democracy. We will explore Internet and telephone voting; transparent and effective limits on money in politics; an open debate on the winner-take-all electoral system; and fixed election dates. Use every possible innovative tool we can to get young people more involved in our democracy.

For our democracy to be strong in the future, young Ontarians, tomorrow's leaders, have got to become engaged in the democratic process today, and they are not. We know that they are estranged from the democratic process. We know that they find politics and government to be foreign. So we will work with the Minister of Education to ensure that young people are engaged as fully as possible in our democratic process.

The Democratic Renewal Secretariat, the first of its kind in this province, will be the engine that drives this democratic renewal process, and the fuel will be public input from Ontarians.

As my friend the member for Niagara Centre, Mr Kormos, often says, I'm almost done. It is the untapped power of the people that inspires us. Ontarians put us in these seats in this great House, and this government is not willing to say to the people of Ontario that they only need to check into their democracy once every four years, during an election—no way. These proposals will make it possible for Ontarians to engage in our democracy as never before, so we can improve the way in which government does its job and so that we can improve the way in which government delivers vital public services to the people. It is time for positive change in government through a democracy changed by the people and for the people. I thank you, Speaker.

1410

## ONTARIO POWER GENERATION AND HYDRO ONE

**Mr Cameron Jackson (Burlington):** I'd like to respond to the Minister of Energy's comments. He's been in the media a lot in the last few days, talking about the situation with Ontario Hydro and its new companies, OPG in particular. I find it interesting that the minister has indicated that he wants these disclosures to be retroactive to 1999. I found that interesting.

I asked myself why 1999 would be the specific year. For example, there's some information that Ontarians would like to know that dates back to 1997, when Ontario Hydro, through the independent integrated performance assessment, the IIPA, determined that there had been about a 10- or 12-year period of neglect for all of Ontario's nuclear facilities at a time when both the Liberals and the NDP were running this province. That scathing report, quite frankly, necessitated one of the most difficult decisions any hydro utility has ever had to make: They shut down 10 out of 20 nuclear plants in this province, the largest shutdown of nuclear facilities in history anywhere in the world. No one's had to face this challenge.

In March 1998, Ron Osborne was brought into this huge challenge. Again, we're not going back to 1998 to determine what we needed to do to fix the nuclear mess that had been created in this province and necessitated one of the largest overhauls of nuclear plants in global history.

I ask my colleague opposite to what extent his review and exposure is stale-dated to 1999 and doesn't go back. It does, however, capture July 1999, when the Atomic Energy Control Board, to the surprise of most of this province, determined that there had to be an environmental assessment done on all these sites, which added two years to the completion date. So we can thank our federal regulatory agency. However, in the interests of public safety, the right decisions were made.

Now we are being told that full disclosure—it is not a lot of news; persons making over \$100,000 is something our government introduced early in its mandate. The top five executives at OPG and Hydro One are required, under the Ontario Securities Commission, to disclose public salaries. I would hope as well that you're looking at the salaries at local distribution companies being fully disclosed. As a taxpayer of Burlington, I'd like to know what all the executives are earning in the local distribution company that I allegedly own. Also, perhaps this desire to be fully open with the public might include how the IMO arrives at the spot price for energy. This is where much of the profiteering will occur, and we'd like you to apply the same principles to that, sir, and not simply to people's salaries.

Finally, we've noticed that you have replaced the staff with another public servant, Richard Dicerni. In the spirit of Eleanor Clitheroe, we would hope you're also disclosing the additional pensions that are provided by taxpayers to these individuals who are assuming corporate responsibilities for our public hydro system.

#### DEMOCRATIC RENEWAL

**Mr Norman W. Sterling (Lanark-Carleton):** Our caucus looks forward to working constructively to try to come forward with better mechanisms for this institution. But the record of this government, so far, denies us from coming to the conclusion that they have any real intent to do so.

They've taken over many of the MPPs' offices in this precinct—13—with ministers' staff, Premier's staff and bureaucrats; in the throne speech they offered that they are going to gerrymander the boundaries of our electoral districts in the north and in the rest of Ontario; they have done many petty things, including not giving the NDP party status in spite of their 15% election support; and they have divided the opposition with regard to where they sit in the Legislature.

We only hope this government shows greater generosity with regard to this debate, because it's important that we improve this institution and democracy in Ontario. But they haven't shown very much so far.

#### ONTARIO POWER GENERATION AND HYDRO ONE

**Mr Howard Hampton (Kenora-Rainy River):** I ask for unanimous consent to respond on behalf of New Democrats.

**The Speaker (Hon Alvin Curling):** The member for Kenora-Rainy River has requested unanimous consent for a response of five minutes. Do I have unanimous consent? Agreed.

**Mr Hampton:** I first want to respond to the Minister of Energy. I want to say to the people of Ontario, what we're seeing here today is actually an effort by the new Liberal government to rewrite a bit of their own political history. It was not that many years ago, when the Conservatives introduced the electricity competition act, which they were very clear was going to have the result of selling off Ontario Power Generation and Hydro One, that every single Liberal in this House voted for it. Did you not understand what that would mean? Did you not understand, if you take Ontario's hydro system and turn it over to the Enrons and the Brascans, that the salaries can go out of sight, that the expense accounts can go on and on and that the bonuses and the bonus on top of the bonus can all happen? Didn't you Liberals understand what you were voting for then?

When someone named Mike Harris, in December 2001, said very clearly that the government's intention was not only to sell off Ontario Power Generation but also to sell off the transmission system, Hydro One, who was it who said that very day, outside this Legislature, that the Liberal Party agreed that both Ontario Power Generation and Hydro One, the transmission system, should be sold? Didn't you understand at the time what that would mean for hydro prices and hydro rates and the salaries and the bonuses and the expense accounts? You voted for that. You gave speeches supporting it. Dalton McGuinty appeared on radio station after radio station, saying it was a good idea. Now you want to pretend that you had clean hands, that somehow you're not implicated in this.

What's even more outrageous is that Liberals supported that move to privatize this most essential service at the very time that the Enron scandal was unfolding in the United States, at the very time that it was becoming clear that private corporations like Enron and some of the other American private electricity giants were ripping off the people of California for not billions of dollars a year, not \$10 billion but by multiples of \$10 billion. You voted for it. Now you want to pretend that somehow you have clean hands, that you're virtuous. Shame on you. Shame on you for trying to fool the people of Ontario. What's happened is just as much your policy, your direction, as it was Conservative policy and Conservative direction.

#### DEMOCRATIC RENEWAL

**Mr Howard Hampton (Kenora-Rainy River):** I want to reserve just a couple of moments for what this



government calls “democratic renewal” and what I’m going to call “fluff,” because that’s what it is.

The essence of a parliamentary democracy is this: Government, which is the cabinet, makes the decisions—*Interjections.*

**The Speaker (Hon Alvin Curling):** Could I ask the members not to present any plaques or books or so in the House.

The member for Kenora-Rainy River.

**Mr Hampton:** It’s a good book, Speaker. I hope more Liberals read it.

The essence of parliamentary democracy is that the government gets to make the decisions, but those decisions have to be tested here in the Legislature, tested by means of debate and question.

My colleagues and I have been engaged in a battle to ensure that question period actually asks the questions that people want answered. What do we hear over here from the media? They tell us that question period isn’t even interesting any more. Why? Because Liberal backbenchers stand up and ask fluff questions that have been handed to them by a cabinet minister who already has the prewritten answer. That’s what democracy has been reduced to under your democratic reform.

If this government truly wants to see responsible government, accountable government, ensure that New Democrats are able to stand in this House and ask the tough questions, the tough questions that will hold you accountable, the tough questions that will force you to respond to what the people out there are asking. Put an end to the fluff questions that are being asked by Liberal backbenchers that avoid the difficult issues when you already have the pre-written answers.

## DEFERRED VOTES

### APPOINTMENT OF HOUSE OFFICERS

**The Speaker (Hon Alvin Curling):** We have a deferred vote on the motion by Mr Bradley that Bruce Crozier, member for the electoral district of Essex, be appointed Deputy Speaker and Chair of the committee of the whole House; that Ted Arnott, member for the electoral district of Waterloo-Wellington, be appointed First Deputy Chair of the committee of the whole House; and that Joseph Tascona, member for the electoral district of Barrie-Simcoe-Bradford, be appointed Second Deputy Chair of the committee of the whole House.

There will be a five-minute bell. Call in the members.

*The division bells rang from 1421 to 1426.*

**The Speaker:** Order. Will members please take their seats.

Mr Bradley has moved that Bruce Crozier, member for the electoral district of Essex, be appointed—

**Interjection:** Dispense.

**Interjection:** No.

**The Speaker:** —Deputy Speaker and Chair of the committee of the whole House; that Ted Arnott, member for the electoral district of Waterloo—

*Interjections.*

**The Speaker:** —I thought the members asked me to read it. I’d like some silence during that time—that Ted Arnott, member for the electoral district of Waterloo-Wellington, be appointed First Deputy Chair of the committee of the whole House; and that Joseph Tascona, member for the electoral district of Barrie-Simcoe-Bradford, be appointed Second Deputy Chair of the committee of the whole House.

All those in favour, please rise one at a time to be recognized by the Clerk as they are counted.

### Ayes

Agostino, Dominic	Flynn, Kevin Daniel	Parsons, Ernie
Arnott, Ted	Fonseca, Peter	Patten, Richard
Arthurs, Wayne	Gerretsen, John	Peters, Steve
Baird, John R.	Gravelle, Michael	Peterson, Tim
Bartolucci, Rick	Hardeman, Ernie	Phillips, Gerry
Bentley, Christopher	Hoy, Pat	Pupatello, Sandra
Berardinetti, Lorenzo	Hudak, Tim	Qaadri, Shafiq
Bountrogianni, Marie	Jackson, Cameron	Racco, Mario G.
Bradley, James J.	Jeffrey, Linda	Ramsay, David
Broten, Laurel C.	Kennedy, Gerard	Rinaldi, Lou
Brown, Michael A.	Klees, Frank	Runciman, Robert W.
Brownell, Jim	Kular, Kuldip	Ruprecht, Tony
Bryant, Michael	Kwinter, Monte	Sandals, Liz
Cansfield, Donna H.	Lalonde, Jean-Marc	Sergio, Mario
Caplan, David	Leal, Jeff	Smith, Monique
Chambers, Mary Anne V.	Levac, Dave	Smitherman, George
Colle, Mike	Marsales, Judy	Sorbara, Greg
Cordiano, Joseph	Martiniuk, Gerry	Sterling, Norman W.
Craiton, Kim	Matthews, Deborah	Takhar, Harinder S.
Crozier, Bruce	Mauro, Bill	Tascona, Joseph N.
Delaney, Bob	McMeekin, Ted	Van Bommel, Maria
Dhillon, Vic	Meilleur, Madeleine	Watson, Jim
Di Cocco, Caroline	Miller, Norm	Wilkinson, John
Dombrowsky, Leona	Milloy, John	Wilson, Jim
Duguid, Brad	Mitchell, Carol	Witmer, Elizabeth
Duncan, Dwight	Munro, Julia	Wong, Tony C.
Dunlop, Garfield	Murdoch, Bill	Wynne, Kathleen O.
Eves, Ernie	Orazietti, David	Yakubuski, John
Flaherty, Jim	Ouellette, Jerry J.	Zimmer, David

**The Speaker:** All those opposed, please rise to be recognized by the Clerk.

### Nays

Bisson, Gilles	Kormos, Peter	Prue, Michael
Churley, Marilyn	Marchese, Rosario	
Hampton, Howard	Martel, Shelley	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 87; the nays are 7.

**The Speaker:** I declare the motion carried.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: You know New Democrats have grave concerns about the legality of this manner of choosing a Deputy Speaker. We’re asking you to arrange for an election of a Deputy Speaker, in compliance with section 28 of the Legislative Assembly Act, at the earliest opportunity so as not to have this Legislature operating—

**The Speaker:** The member is aware that this has just been ruled on and just been passed. That's not a point of order.

#### VISITORS

**Hon Rick Bartolucci (Minister of Northern Development and Mines):** On a point of order, Mr Speaker: I'd like to recognize the Marymount Academy political science class from Sudbury and their two teachers, Mr Tim Russell and Ms Massimiliano. Welcome to Toronto.

**Mr Michael Gravelle (Thunder Bay-Superior North):** On a point of order, Mr Speaker: I want to introduce some very special guests in the members' gallery east, representatives of Kruger Inc, new owners of the Longlac Wood Industries facility in my riding of Thunder Bay-Superior North. We have Mr Jean-François Merrette, vice-president of operations; Mr Jean Majeau, vice-president of corporate affairs; and Mr Michel Lessard, the woodlands manager. We welcome you. Thank you for being here today.

**Mr Peter Kormos (Niagara Centre):** Point of order.

**Ms Marilyn Churley (Toronto-Danforth):** Point of order.

**The Speaker (Hon Alvin Curling):** One minute. I'm not quite sure where the point of order is coming from. So you do have a voice?

**Ms Churley:** Mr Speaker, you couldn't hear me. He has a louder voice, so he was trying to get your attention for me.

*Interjections.*

**The Speaker:** I'd ask those in your area to be a little softer and maybe I could hear.

You have a point of order, member from Toronto-Danforth?

**Ms Churley:** I do have a point of order, Mr Speaker; yes indeed I do. In the spirit of democratic renewal, as announced by the Attorney General in the government today, I ask for unanimous consent that our leader, the leader of the New Democratic Party, be able to ask two lead questions today, two real hardball questions.

*Interjections.*

**The Speaker:** Unanimous consent seems to be not there. Order.

#### UPTOWN THEATRE

**Hon Christopher Bentley (Minister of Labour):** Mr Speaker, I understand I have unanimous consent to make a statement to this House.

**The Speaker (Hon Alvin Curling):** You ask for unanimous consent for—

**Hon Mr Bentley:** To make a statement on the collapse of the Uptown Theatre.

**The Speaker:** The collapse—

**Hon Mr Bentley:** Of the Uptown Theatre, which happened this morning.

**The Speaker:** The Minister of Labour is asking for unanimous consent for the collapse of the Uptown Theatre. You have a limit to that of five minutes.

**Mr Howard Hampton (Kenora-Rainy River):** If I can help the minister, we'd be prepared to consent to him making a statement and time for responses from both the Conservatives and New Democrats.

**The Speaker:** What I'm hearing now is that the minister needs unanimous consent for each party to have a five-minute response. Is that what I'm hearing?

*Interjections.*

**The Speaker:** There is unanimous consent for five minutes. If you want to take two minutes to do that, that's also fine with me.

**Hon Mr Bentley:** This morning, at approximately 10:30, the rear portion of the Uptown Theatre in downtown Toronto collapsed, causing damage to neighbouring buildings. One person has died. On behalf of the Premier and all members of this House, I want to offer our most sincere condolences to friends and family.

Preliminary reports indicate that 14 people have been injured and taken to hospital. Emergency workers are continuing efforts to remove one other person from the scene. Like people throughout the province, we hope and pray for this person's safe return.

Emergency services arrived quickly on the scene this morning. They have been doing an admirable job in difficult circumstances. The Minister of Community Safety has advised me that an OPP canine unit is assisting in rescue efforts and that the Ontario fire marshal's office has contacted Toronto Fire Services to offer their assistance.

The Ministry of Labour has dispatched construction inspectors and a construction engineer to assist in any way they can. As soon as possible, the ministry will begin determining the cause of this tragic accident.

Let us continue offering our most fervent support to emergency workers, affected families and those who have been injured. Again, our condolences to the family and friends of the deceased.

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** On behalf of our party, we join the Minister of Labour and the government in expressing our sincere condolences to the family and friends of the deceased. Our prayers and wishes go out to the injured and those who are missing.

As well, we certainly want to express our appreciation to those who are working so hard on the rescue efforts, the emergency workers involved, and we hope and pray that the tragedy of this event will be minimized.

I would just conclude by again offering our condolences to the family and friends and our wishes that all will be well.

**Mr Michael Prue (Beaches-East York):** We heard tragically on the news today that one person has died; we have heard that 12 people have been sent to hospital and that one person was missing. That was the news as of 1:30 this afternoon. Among the 12 who have gone to hospital are three children, ages 8, 10 and 11. One can only imagine the horror that those children experienced in the minutes as the walls came crashing down.



This morning I just happened to walk by that location not once, but twice, on my way to Bloor and Yonge Streets. All seemed at peace and very quiet at an old Toronto landmark. We watched later this morning on television. Councillor Kyle Rae was present at the scene and was on a telephone, speaking to the owner of the building, a Mr Muzzo, who did not, at least through Kyle Rae's lips, appear to be very satisfied with the demolition as it was taking place yesterday and was extremely unhappy, one can imagine, with what happened today. Also on the scene was the new mayor, David Miller.

We in the New Democratic Party want to say first of all how very proud we were of the firefighters, the police, the ambulance services, all of the emergency personnel who were on the scene, who helped to recognize the 13 people and who conveyed them safely to the hospital.

We send our condolences to the family of the man who was killed. We in the New Democratic Party also want to give our assurance to this House, to this Legislature, that all members from all parties need to do whatever is necessary to get to the bottom, to understand what happened today and to make sure such tragedies never happen again.

**The Speaker:** It's really a sad day.

## ORAL QUESTIONS

### LAND DEVELOPMENT

**Mr Jim Flaherty (Whitby-Ajax):** My question is to the Minister of Municipal Affairs. It is about Liberal promises, and therefore broken promises. We have this convenient list of 231 promises—more and more promises broken every day.

These specific promises are in your own party's policy platform, on pages 17 to 19. You might want to have a look at those. You promised, "We will protect the greenspace that surrounds our cities, forever." You also promised "real protection for the Oak Ridges moraine" and that you will add important new areas, such as the Dufferin-Rouge agricultural preserve, Bronte Creek Provincial Park and two thirds of provincially owned Seaton lands. Your leader, Premier McGuinty, wrote on September 5 to the Rouge Duffins Greenspace Coalition promising to protect, and I quote, "all the lands in the Duffins-Rouge agricultural preserve," and more than that, "to place a moratorium on zoning changes from rural to urban on all lands within the potential greenbelt area."

My question is to the Minister of Municipal Affairs: Are you prepared to state today in this House that you will keep each and every one of these commitments to the people of Ontario without equivocation, without reservation?

1440

**Hon John Gerretsen (Minister of Municipal Affairs, minister responsible for seniors):** As you

know, we have already protected a very significant amount of the Oak Ridges moraine by, in effect, making sure there are 900 fewer houses built on the moraine than you were prepared to do; by making sure that a park will be developed there, in which the developers are going to contribute \$3.5 million; and by making sure that the corridor for wildlife is going to be a lot larger than certainly you would have done. As you indicated many times before, we are going to introduce greenbelt legislation that will, in effect, protect over 600,000 acres of land in this area, to make sure that is protected for generations to come. As well, we are going to make sure that amendments are going to be made to the Planning Act to bring planning decisions back to the local level.

**Mr Flaherty:** We know that the minister and his government broke a promise with respect to the Oak Ridges moraine. I think they did that within a week or 10 days of becoming the government. I'm asking now, though, about the preserve, the permanent—it's called permanent for a reason, I hope—agricultural preserve in Pickering. You and your government, seeking the support of voters in Ontario, promised you would protect the Golden Horseshoe greenbelt and specifically 100% of the permanent agricultural preserve in Pickering. There's reason for concern. I can tell you there's concern in Durham region and there's concern throughout Ontario, because the candidate who was elected, the former mayor of Pickering, now the MPP for Pickering-Ajax-Uxbridge, took a different position. He took the position that he wanted to renege on the agreement and promoted a growth management study—

**The Speaker (Hon Alvin Curling):** Question?

**Mr Flaherty:** —that the developers paid \$625,000 to fund. My question is, will you promise—well, forget "promise," because it's not of a great deal of value. Will you commit, guaranteed by your resignation, that you will preserve in its entirety the permanent agricultural reserve in Pickering?

**Hon Mr Gerretsen:** I can only reiterate once again that the greenbelt legislation we will be introducing will protect, in an environmental fashion, more acreage in this province than has ever been done before.

*Interjections.*

**The Speaker:** Order.

**Hon Mr Gerretsen:** Over 600,000 acres will be protected, so that environmentally crucial areas will be there for generations to come, something you did not do. You told us in the House one day that the moraine was protected, and at the same time you made a deal with the developers that, in effect, would allow them to build another 6,000 units. We will live up to the commitments we have given.

**Mr Flaherty:** No commitment there to the people of Pickering or Durham region, or to the people of Ontario.

Here's another promise, number 47—there are many here. This is a good one: "We will ensure that all developers play by the rules." There's promise number 47. What's the deal? What deal did you make on the Oak Ridges moraine? What deal did you cut with those developers? Is it like the deal that was made in Pickering:

\$625,000 worth of mortgages to these developers in Pickering? What deal did you make? When are you going to tell us what rules you made with these developers? Keep your promise. Make the developers play by the rules. What rules have you broken with the developers already?

**Hon Mr Gerretsen:** We know one thing for sure: The deal that we made was a heck of a lot better than the bad deal that you made. Under our arrangements, more of the corridor is going to be preserved for the generations to come. We're going to see a parkland developed in the Oak Ridges moraine that everyone can be proud of and use. The developers are going to commit \$3.5 million to that. That's what we did, which is a heck of a lot better than you ever did for the environment.

### GASOLINE TAX

**Mr Tim Hudak (Erie-Lincoln):** I have a question to the Minister of Public Infrastructure Renewal with respect to his transit initiative through the gas tax. Minister, increasingly Ontarians are concerned about your growing string of broken promises and what it's going to mean to their pocketbooks. Specifically, they're very concerned about an increase that is pending on the Ontario gas tax to pay for your initiatives. Can you guarantee the House today that you're not increasing the Ontario gas tax?

**Hon David Caplan (Minister of Public Infrastructure Renewal):** That's correct. It will be an allocation of the existing gas tax.

**Mr Hudak:** Forgive me if I ask more specifically, because I want to make sure that we understand exactly what the minister is saying. Minister, I want you to guarantee to the House today that you will not be increasing the Ontario gas tax in the upcoming economic statement or any future budget.

**Hon Mr Caplan:** It's interesting. Unlike the other party, this government is going to dedicate a portion of the existing gas tax. In the last election, in their election platform, they proposed to raise the gasoline tax. Ontarians rejected that approach. They approved dedication of a portion of the existing gasoline tax to support public transit. That is what a Dalton McGuinty government is going to do.

**Mr Hudak:** Frankly, that's not good enough, because you did not answer my question directly. I recall Dalton McGuinty saying very clearly, "I will not raise your taxes," yet one of the first bills he brought into the Legislature was the biggest tax increase in the history of the province of Ontario.

Dalton McGuinty asked us to read his lips: "No new taxes." I'm asking you very simply: Can you absolutely, clearly guarantee that you will not be increasing the Ontario gas tax in the upcoming economic statement or any future budgets? Can we expect a big increase in the Ontario gas tax?

**Hon Mr Caplan:** The answer simply is no. Dalton McGuinty and the Ontario Liberal Party committed to sharing a portion of the existing gasoline tax with our

municipal partners, unlike members of the Progressive Conservative Party, who wanted to raise gasoline taxes. The voters in Ontario rejected that approach in favour of the approach of the McGuinty government, which was to share a portion of the gasoline tax. I don't understand why the member opposite has any difficulty understanding that very simple concept.

### COMMITTEE MEMBERSHIP

**Mr Norman W. Sterling (Lanark-Carleton):** This is to the minister responsible for democratic renewal. Minister, why is your government insisting that a government member, a Liberal member, chair the standing committee on government agencies, which reviews all government appointees?

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** I thank the member for his question. If the member has some specific concerns that he'd like to raise with us, then we'd be happy to consider them. Otherwise, perhaps what I will do—I will hear your concerns. So you can speak it directly, it's probably more appropriate in the supplementary if I direct you to the House leader, but I'm all ears.

**Mr Sterling:** I think it's self-evident what the concern is. This government appoints the people, and now they want the person who's responsible for running this particular committee to be from their own backbenches. This is unheard of. They talk about democratic renewal, and yet they're willing to play games with the appointment process. They want to review their own. They want to slip things by this Legislative Assembly.

**Hon Mr Bryant:** Nothing could be further from the truth. I'll refer this to the House leader.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** We have proposed a number of changes to the standing orders that we think will benefit the proper functioning of this House. With respect to government appointments, the official opposition have the number of members on the committee that they're entitled to under the regulations. We believe that it's the proper way to go forward. We believe that the proper scrutiny of those appointments will be considered.

My colleague will be considering changes to what appointments can be looked at and exercised later on. That's the other thing they did agree, in exchange for two Deputy Speakers, which they've never had before. These things were negotiated among the two parties.

1450

### LONG-TERM CARE

**Mrs Liz Sandals (Guelph-Wellington):** My question is for the Minister of Health. There have been reports in the Toronto Star about the abhorrent conditions in some long-term-care facilities. For example, Natalie, a mother of 10, died from gangrenous bedsores. This is unacceptable. Our seniors are not getting the care they deserve



and need. Some 65,000 seniors and their families depend on long-term-care services in Ontario. This is catastrophic. People who have worked very hard for this province are now being forgotten and ignored. We owe our seniors more than this. We owe them dignity.

Minister, why did the previous government rob so many of our seniors of their dignity?

**Hon George Smitherman (Minister of Health and Long-Term Care):** Earlier today I had the opportunity, in a shared radio broadcast out of Hamilton, to say thank you to the daughter of Natalie Babineau for allowing the Toronto Star in a very significantly researched exposé to demonstrate some of the underlying conditions in our long-term-care facilities. I made the commitment yesterday in an interview and again today to that family that the actions of this government will be to enhance the quality and dignity of the lives of those people, our seniors, who spend their final days in our province's nursing homes. I don't think this is a partisan matter. I think it's one that challenges all of us as MPPs to play a bigger role as advocates, to take a look inside these facilities that operate in all our ridings across the province. Over the course of the next very short while, we'll be moving forward with an action plan that will give real hope and improve the quality of the circumstances of our seniors who are living in these facilities.

**Mrs Sandals:** Minister, you have promised a revolution in long-term care. You have been quoted as saying that you will tackle these problems with missionary zeal. But clearly, there remains much to be done. What actions will you take to fix our long-term-care system?

**Hon Mr Smitherman:** It seems that the idea that you can proceed on this matter in a non-partisan way is lost on the member from Burlington, who decides that the appropriate response is to laugh at the idea. You laughed.

**Mr Cameron Jackson (Burlington):** On a point of order, Mr Speaker: The member opposite knows full well that that was not any comment related to what you were saying. I was having a conversation with the member from St Catharines, and St Catharines alone. That was a cheap shot, but apparently not too cheap for you.

**Hon Mr Smitherman:** We have an opportunity, with respect to our long-term-care facilities, to introduce a new era of accountability, to bring transparency to the process, to make sure that complaints are addressed in a fashion which is transparent for the families that made them and for the facilities around which the complaints are made.

I've directed my ministry to provide me with an action plan within 30 days. That's about their priorities. I've also asked my parliamentary assistant, the member from Nipissing, to engage in a very extensive consultation, not just a stakeholder consultation, but a community consultation that looks for the opportunities we have to re-engage the community in these institutions. It seems very clear to me that the lives of our seniors will be enhanced dramatically, especially if we're successful at shining a big light on those operations and re-engaging the community. I ask all members to play a role in helping to make that happen in their ridings.

## HOSPITALITY INDUSTRY

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** My question is for the Minister of Tourism and Recreation. Toronto's hotel operators have had a very difficult year with SARS, hydro and other challenges. These hotel operators are now requesting that you and your government support the tourist industry by allowing them to add a levy on hotel rooms. Minister, are you considering allowing a new levy on hotel rooms in Toronto?

**Hon James J. Bradley (Minister of Tourism and Recreation):** I have to ask the former ministers what page the answer is on in the briefing book.

There is no question that the Toronto hotel association and others in larger communities are contemplating, of their own volition, trying to develop a volunteer levy which would be used for marketing purposes for tourism. You're quite right. You have identified a major problem that I know my predecessors are aware of, and that problem is that we want to get people back into Ontario for tourism purposes, and our marketing is far less in terms of the amount that we allocate for it than, for instance, cities like Chicago, Montreal, Quebec City and others. I am aware that the organizations that represent hotels in Toronto, for instance, are endeavouring to get together to have a volunteer levy, to use the money for that purpose and to generate even more economic activity for this province, something I think you would want to see happen.

**Mr Tascona:** Being an experienced minister from the past, I'm looking for a response to that question. Either you are going to allow this levy as a government, thereby raising taxes, or you're not going to allow it. Which is it?

Minister, can you reassure this Legislature that before you act to increase hotel taxes you will abide by the Taxpayer Protection and Balanced Budget Act, which your leader signed a pledge to, and hold a referendum? Yes or no?

**Hon Mr Bradley:** I can tell the member that, in fact, I will be consulting widely—and wisely—with the tourism industry. I know my predecessors did so, and I know they heard from the tourism industry. I think there are three predecessors in the House at the present time—there might even be more—but all of them said that we need the funds to be able to compete, I guess is the best word, with others in getting people coming to the province of Ontario.

I'm all ears in terms of hearing what they have to propose. When they propose that to me and to the government, I'll be happy to share my response with the member. But I think it would be premature at this time for me to make any comment on that until such time as I have received such a proposal. I know the member would agree with that.

## ONTARIO POWER GENERATION AND HYDRO ONE

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** My question is for the Minister of Energy. This past

Thursday, the committee chaired by Jake Epp released a report that detailed the failings of the previous government in the energy sector. Among other things, neither the government nor their political appointees at Ontario Power Generation exercised the necessary oversight over the Pickering A rebuild project. We all know too well that the board approved some 11 cost increases and 13 delays over the course of four years.

Minister, how could the previous government have allowed this to go on?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** To my colleague, the situation at OPG had degenerated into what can only be determined as a horrible mess. Number one, the previous government, beginning in 1999, announced that the cost associated with refurbishing all four units at Pickering A would be \$1.1 billion. We all know the facts now: that in fact to do all four it's going to be between \$3 billion and \$4 billion, something that was not made known to the public by the previous government; 13 increases in extensions and time to completion, 11 increases in the costs associated with that, all kept under wraps by the government for four years. We've been left with a mess. We're changing the direction. The McGuinty government is going to move forward.

Given his representation of the people of Pickering, I say to my colleague, whom I've already had the opportunity to discuss this issue with, that we're going to move forward, change the direction of the previous government, make sure there's openness, accountability and transparency and that OPG works for the ratepayers and taxpayers of this great province.

1500

**Mr Arthurs:** You indicated that the government was elected to change the direction of government. The Epp report showed us that the previous government had little interest in letting the people of the province know the real state of the rebuild at Pickering A. On top of that, the record of the previous government shows that they didn't want the people of Ontario to know anything about what happened at OPG and Hydro One. Contracts and salaries weren't disclosed, cost overruns and delays were hidden and the taxpayers of the province ended up funding yachts and trips to Europe. Can you tell me what the Ministry of Energy is doing to ensure openness and accountability in Ontario Power Generation and Hydro One so something like this never happens again?

**Hon Mr Duncan:** Earlier today I introduced a bill that would provide salary disclosure with respect to senior officials at OPG and Hydro One. I should tell the Conservative members who don't know this and need to do their homework a little bit more before they speak in the House that, in fact, there is no gap. Those things were open until your government changed them in 1999. We've closed the gap on that.

The same applies with respect to freedom of information and protection of privacy. It's time to shed light on OPG. The previous government stonewalled, refused to answer questions and hid them from the full scope of

public and media review. When they say they commissioned the report, it was four years and \$4 billion later, I say with no respect, because you made a mess of it. There's no explaining it to anyone. It was your appointees who ran it; it was your friends who were in charge. You kept the light turned away from it. We're turning the light on. We're changing the direction of this province. I say to the members opposite, you mismanaged this in a way that's never been equalled in the history of Ontario.

#### ELECTORAL REPRESENTATION

**Mr Norman W. Sterling (Lanark-Carleton):** I have another question for the minister responsible for democratic renewal. Do you believe in the basic tenet of our democratic institution that members are elected representation by population?

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** This is a very important part of what we have to look at so that people can have full confidence in our democratic system. We have the same old 1867 system. Some parts of it we want to keep; some parts we want to look at. We've made a commitment to take this issue to the people. We're not afraid to ask the people about the way in which our electoral system is going to unfold. We're not afraid to talk to the people about how we ought to renew democracy. It is absolutely critical that we get everybody, young people in particular, who has become estranged from our democracy and our governmental process back into the centre of politics and government. That is something we're willing to do; that is something we're going to do. Today marks the beginning of that exercise.

**Mr Sterling:** I'm very happy that there is going to be considerable consultation. As you know, the federal boundaries commission has decided that the next time through we're going to have 106 ridings in Ontario, as opposed to 103. That means reducing from 11 to 10 ridings in the north. I would have hoped that this government and this minister, in putting forward this view that we're going to have consultations, would make a decision with regard to the boundaries of future ridings on the basis of those consultations. Are you willing to now withdraw from your throne speech commitment to allow more representation in the north than in the rest of the province of Ontario?

**Hon Mr Bryant:** I say to the member that we've made a commitment to consult. We are going to consider all the implications. As the member knows, there are constitutional implications as well. There are limits as to what a government can do. Our commitments to renew democracy are there to give people more confidence in democracy. I can say to you that we will be proceeding with these particular reforms, especially the electoral reforms and especially ensuring that we have full and appropriate representation in the north, in a way in which people can have confidence in their democracy.



When we do that, we will be looking for input from all members of this House and looking for input from across Ontario. Yes, we're going to be looking for input from northern Ontario too. We want to make sure that we have an electoral and parliamentary system that is not only consistent with the old traditions but deals with the reality that people have lost, to a large extent, a level of confidence in democracy. We're going to bring it back.

## HYDRO GENERATION

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Energy.

**The Speaker (Hon Alvin Curling):** I'm assuming you've asked for unanimous consent.

**Mr Hampton:** I'm not sure. If you don't want us to ask a question, say so.

**The Speaker:** The member for Kenora-Rainy River knows the procedure. You have to ask for unanimous consent before, and I am expecting that from you.

**Mr Hampton:** Mr Speaker, I ask unanimous consent to ask a question on behalf of New Democrats.

**The Speaker:** Do I have unanimous consent from the House? Agreed.

The member for Kenora-Rainy River.

**Mr Hampton:** Speaker, I guess this is what "democratic renewal" means in Ontario.

My question is for the Minister of Energy. You introduced a bill today, and you are trying to pretend to the people that this is somehow going to be earth-shattering. It's called the Public Sector Salary Disclosure Amendment Act. You say it's going to do unique things with respect to Ontario Power Generation.

My question is this: Notwithstanding this fluffy bill you've introduced today, what is your policy going to be with respect to Pickering? Are you going to put more money into restoring the Pickering A nuclear generating stations—estimated cost, \$4 billion? Are you going to build new nuclear facilities in the province—estimated cost again in the billions of dollars? You owe it to the people of Ontario. If they read your platform document during the election, they'd have no idea what your electricity policy is.

What is your electricity policy for Ontario? What are you going to build? What are you not going to build? Is it going to be public? Is it going to be private? What's your electricity policy for the hydro consumers of Ontario?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** First of all, we think it is important to have disclosure. In fact, you argued for that before. I don't think it's fluff at all, to respond to that. It's very important in terms of salary, but also in terms of freedom-of-information requests. In order for the people to participate in a full debate about the future range of electricity options, we think they should have access to that information.

Later this week we'll be announcing some appointments to a blue chip task force that will look at those

options. I'm not going to answer today, pending more study of that particular question, study which I believe is important, and I think you would too. I remember Darlington, for instance, in the early 1990s, with money getting pumped into that by your government. You continued to allow nuclear in this province in the five years you had.

So, (1) we believe that full disclosure of salaries and information is important from both OPG and Hydro One, and (2) we believe the people of this province need to be part of a consultation that will determine the electricity future of this province, one that has been left on its knees and is weakened to the point where we're all very concerned about it.

**Mr Hampton:** The question was, what is this government's hydroelectricity policy? Are you going to put more money into Pickering? Are you going to build other nukes? What are you going to do with the coal-fired plants? People in Ontario have no idea what your electricity policy is, other than that you want to blame everything on the Conservatives. It seems to me that when they were there, they wanted to blame everything on someone too. The question is, what's your policy? And don't tell us that your bill introduced today somehow adds something.

You can find out what the executives over at OPG are getting paid simply by going to the Web site. For example, in 2002, Ron Osborne was paid almost \$2.5 million; Graham Brown, the director and chief operating officer, \$1.6 million. Your bill doesn't add anything. So quit trying to pretend that you're creating electricity policy over there by introducing this fluff legislation.

What is your electricity policy? The people of Ontario need to know before you continue to make the same mistakes the Conservatives made.

**Hon Mr Duncan:** We have begun to address the mistakes the Conservatives made: (1) we've lifted the cap; (2) we are providing new legislation and regulatory protection to make sure all Ontarians have access and an opportunity to have information regarding these important decisions. I think it is important.

It's a first step. We acknowledge that. We can't undo the five years of mismanagement your government brought, and the eight years of mismanagement this government brought, in one day. We've moved quickly.

When one talks about lack of clarity and policy on these things, I was reading this book, *Public Power*, which I got in the bin at the bookstore the other day:

"There may be practical reasons to allow some degree of privately owned generation that can contribute to our province's environmental well-being within a regulated public power system.

"I am not ideologically opposed to private power any more than I am opposed to private restaurants, clothing or car dealerships."

That wasn't Ronald Reagan or Margaret Thatcher; that was Howie Hampton.

1510

## HIGHWAY SAFETY

**Mr Pat Hoy (Chatham-Kent Essex):** My question is for the Minister of Transportation. Your recent announcement regarding a signed agreement between Ontario and France to recognize drivers' licences as equivalent is indeed good news for Ontario drivers who move to France. However, for years US drivers have been recklessly speeding on Ontario roads through the community of Chatham-Kent Essex, knowing they are unlikely to face the consequences of their actions. Can you please tell this House what this government is doing to hold these drivers accountable for threatening the safety on Ontario roads?

**Hon Harinder S. Takhar (Minister of Transportation):** I want to thank the honourable member for this important question, and I also want to thank him for improving road safety throughout his region.

I agree that we need to do everything possible to hold drivers accountable for their unsafe driving actions, whether those drivers are from Ontario or from outside the region. That's why my ministry has entered into conviction exchange agreements with other US states. Currently, agreements are in place with Michigan and New York. These agreements help make our roads safer and act as a deterrent, because they enable us to record convictions and apply demerit points and licence suspensions.

Our government will do everything we possibly can to protect the motoring public and to improve road safety in Ontario.

**Mr Hoy:** I'm pleased to hear that holding drivers from other jurisdictions accountable for their actions is indeed a priority for this government. Fines can also be a strong deterrent for these irresponsible drivers. Many fines, however, go uncollected.

Chatham-Kent took over operation of the provincial offences court in May 2000. There is nearly \$600,000 in unpaid traffic fines issued to US residents for driving infractions while in the municipality. This, of course, is lost revenue for the municipality. Can you tell us how this government will be moving forward to enable Chatham-Kent and all of Ontario to collect these outstanding fines?

**Hon Mr Takhar:** As I indicated before, holding accountable drivers whose habits are unsafe is indeed a priority for us. I understand that the collection of fines from out-of-province drivers requires the mutual consent of both provinces. Despite our best efforts to contact each and every US state and engage them in negotiating such agreements, to date none have agreed.

I want to point out that last week I had the chance to meet with the director of transportation for Michigan. We have agreed to meet on a regular basis, and I will raise those issues with him. We will do everything possible to make sure we can collect those fines.

**The Speaker (Hon Alvin Curling):** New question.

**Mr Jim Wilson (Simcoe-Grey):** My question is to the Minister of Finance. For the past few weeks we've heard a great deal of concern from all Liberals in the House, and in particular from the Minister of Finance, about the finances of this province, about the bottom line. Because he is so concerned about the bottom line and about the finances of this province, I'm going to ask him a very simple question: When are you going to repay the \$35,000 in severance pay that you took from the public purse in this province?

**The Speaker:** That question is out of order. If you have another question—

**Mr Wilson:** I think the honourable member—

**The Speaker:** One more time: Do you have a question?

**Mr Wilson:** On a point of order, Mr Speaker: I believe this question is in order. He is the finance minister. He's the guardian of the public purse—

**The Speaker:** Order. New question.

*Interjections.*

**The Speaker:** I warned the member about three times about the direction of his question. He refused to take another direction. Now he wants a new direction. New question.

**Mr Kuldip Kular (Bramalea-Gore-Malton-Springdale):** My question is directed to the Honourable Minister of Education. Minister, last week you—

**Mr Norm Miller (Parry Sound-Muskoka):** Mr Speaker, on a point of order: I sat in this House last session when the same question was asked of the leader—

*Interjections.*

**The Speaker:** Order. I've already ruled on that and I don't need to go back to that again.

**Mr Jerry J. Ouellette (Oshawa):** On a point of order, Mr Speaker: In accordance with standing rule 36(a), I think you will note that questions are allowed to be directed to a minister. The component of the question—standing order 36 stated that it had to be referring to the minister's ministry—was removed from that point in the standing orders. This is in compliance with standing rule 36(a) which states that you are allowed to question ministers. I would ask you to rule on that.

**The Speaker:** I've listened carefully and I did not see any relevance to the minister's ministry. If the member wishes now to redirect the question in a different way, with something that is relevant to the minister's portfolio, I will allow it.

**Mr John R. Baird (Nepean-Carleton):** On a point of order, Mr Speaker: I will not challenge your ruling at all, or address your ruling, because it's non-debatable. I would like to ask—I think we can do anything in this House with unanimous consent, if all members agree. The Minister of Finance has indicated that he would like to take the question.

**The Speaker:** I'll take your point of order. I cannot hear over the member from Niagara Centre. If he would be quiet a bit, I'd be able to hear the point of order.



**Mr Baird:** The Minister of Finance has certainly indicated that he would like to take the question and I'd like to ask for unanimous consent for Mr Wilson to put the question to the Minister of Finance.

**The Speaker:** Did I hear unanimous consent? I heard a no.

**Mr Wilson:** Mr Speaker, on a point of order—

**The Speaker:** Is it the same point of order going on again?

**Mr Wilson:** Going on what you've just advised the House, that perhaps I can ask my question to another minister. Perhaps you could guide me as to who would be appropriate to ask that question to. It certainly is—

**The Speaker:** Order. Let me just be very plain and clear here. There is only one Speaker in the House, and that's me. I don't need a lot of speakers telling me—I can of course have some help from time to time, but, please, if you have a question you want to put to another minister, but it's not the same question—it's out—I'm prepared to hear it.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I ask for unanimous consent to allow the member to put his question again to the Minister of Finance, with a supplementary.

**The Speaker:** I hear a point of order for the member from Simcoe-Grey to put his question to the minister. It's under unanimous consent. Do I have unanimous consent for this? I heard a no.

*Interjections.*

**The Speaker:** Order. Let's take a five-minute recess until we all cool down.

*The House recessed from 1520 to 1525.*

**The Speaker:** Member from Simcoe-Grey, I'm going to ask you to ask a different question than you were asking. I'm giving you this opportunity.

**Mr Wilson:** I would ask the Minister of Finance if he thinks it's appropriate that people leave this place, receive a pension, come back not too many years later and do not repay that severance to the people of Ontario. The same question was asked just a few months ago by Mr Smitherman, as a member of the opposition, to our leader at the time, Premier Ernie Eves.

He did the honourable thing and repaid his severance, and I'm just wondering if, as a matter of policy, the government feels—

**The Speaker:** Order. The minister is not here.

**Mr Baird:** On a point of order, Mr Speaker: It was indicated to us in the opposition that the Minister of Finance would be here for question period today. Perhaps we could adjourn for five minutes and they could find him.

**The Speaker:** New question.

#### ENGLISH CLASSES

**Mr Kuldeep Kular (Bramalea-Gore-Malton-Springdale):** My question is directed to the honourable Minister of Education. The other day, you visited a school in Mississauga—

*Interjection.*

**Hon Greg Sorbara (Minister of Finance):** On the same point of order, Mr Speaker: I want to apologize to you and the House for being a little bit late after the recess. If the member wants to put the question again, with your consent, I would be perfectly happy to answer.

**The Speaker (Hon Alvin Curling):** I'm going to rule this way: The member from Bramalea-Gore-Malton-Springdale has a question.

**Mr Kular:** My question is to the Minister of Education. The other day you visited a school in Mississauga and announced that you would be allocating \$120 million in new funding for schools.

**Mr Jim Wilson (Simcoe-Grey):** On a point of order, Mr Speaker: Would it be appropriate in your eyes if I ask a similar question to the Chair of Management Board of Cabinet? Since the finance minister is not responsible for the finances of this province, perhaps the Chair of Management Board is.

**The Speaker:** I'll allow the member for Bramalea-Gore-Malton-Springdale to ask a question, and then I'll come back to you for a question.

1530

**Mr Kular:** My question is for the honourable Minister of Education. The other day you visited a school in Mississauga and announced that you would be allocating \$120 million in new funding for schools. This is great news for Ontario students, many of whom are immigrants from countries where English is not the first language. These new students need extra help to learn English, and ESL classes are an important part of their regular school program. How much of this money are you committing to help these new students?

**Hon Gerard Kennedy (Minister of Education):** There is no question on our part that the effort last week was a necessary one. Yes, it was hard money to come by in-year, but these are children in particular difficulty. When we saw that children with English as second language were actually scoring half as well as those without English as a second language as a challenge, we felt it was urgent enough that we would act in this school year to ensure they had a chance.

When I say "half as well," 23% of those students don't write the literacy and numeracy tests at all. These are students that we recognize were falling behind unless they received the help that recognized the new Ontario we have. We have these new needs. They were getting lower support after the provincial takeover of education finances than they did when school boards supported themselves. It's absolutely essential that we have that support available in the classroom so they learn the language of instruction and can overcome that barrier and be productive, fully contributing members of society here in Ontario today.

**Mr Kular:** As an immigrant myself, I know from first-hand experience the language and cultural barriers these new Canadians face. Approximately 60% of the new immigrants Canada accepts each year settle in Ontario. Many of them come to my own riding of Bramalea-

Gore-Malton-Springdale and the surrounding greater Toronto area. How will this money benefit the students in my riding of Bramalea-Gore-Malton-Springdale?

**Hon Mr Kennedy:** There is no question that this riding happens to be one of the fast-growing ones in the province. We are lucky that those areas are being populated by people from other countries, who sometimes have the small additional challenge—it's small if we deal with it—of needing to acquire English as a second language.

Almost 20% of the \$17 million directed specifically for English as a second language is actually going to the two boards in Peel. It's going there because the people are there, because that is the new Ontario of people who with just a little bit of assistance are going to overcome that barrier. They're going to be better students, they're going to be better citizens and they're going to be better employees and employers in this province if they get it.

The previous government, unfortunately, faced with a recommendation by the Rozanski commission, said that zero is what these children could get. That has put these kids behind. It is simply something to get started on, which, in its absence, would mean these kids would be further behind. We don't accept that. We believe that in Bramalea-Gore-Malton-Springdale every child has the same access to their future. This will help them do that.

#### SEVERANCE PAYMENTS

**Mr Jim Wilson (Simcoe-Grey):** Perhaps I'll ask my question to the acting Premier of the day, and I would remind the Premier of the day that on May 21, 2002, the now-Minister of Health, Mr Smitherman, asked our leader, then-Premier Eves, if he would repay the severance he received from the taxpayers of Ontario when he left this House and then came back to be Premier and take his place in this House. I say to the acting Premier today that it was clearly Liberal Party policy in opposition on May 21 last year that it was the right thing, the honourable thing, the appropriate thing to pay back his severance upon returning to this House. So I ask the acting Premier if the policy has changed. Do you still believe that the honourable and right thing to do is to have Mr Sorbara pay back the \$35,000 he took from the public purse in severance payment?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I'll refer that to the Minister of Finance.

**Hon Greg Sorbara (Minister of Finance):** I'm glad to hear that my friend from Simcoe-Grey has finally got his question.

Let's first of all deal with policy. There is no policy right now in the Legislative Assembly for the repayment of severance for returning members, but there is a policy within the OPS, and the time frame within the OPS is two years.

In the circumstances of my friend from Dufferin-Peel-Wellington-Grey, here's what happened: He resigned his seat in mid-term, did Mr Eves. Within 13 months, he caused two by-elections to be held, at a very high cost to

the taxpayers. He returned to Parliament in the same session of Parliament, 13 months later, and he did the right thing by returning his severance.

In my own circumstances, at the end of the Parliament in 1995, I retired from politics. Six years later, I was re-elected in a by-election. Every year that I serve in this Legislature, I receive \$40,000 less than you and all other members because the entire value of my pension is clawed back.

**Mr Wilson:** Clearly, the Liberals had a policy a year ago that said that people who took a severance from the public purse and came back to this House should repay that. They berated our leader, Mr Eves, for some time, until he revealed that the morning he was sworn in as Premier, he paid back the \$78,000 in severance. He did the honourable thing, he did the right thing and he did the thing that helps deal with the concerns that the finance minister says he has about the finances in this province.

I say to the honourable members over there—

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order.

**Mr Wilson:** Will you do the honourable thing, will you do the right thing and pay back the \$35,000 in severance pay? Mr Eves did the right thing; it's time you did the right thing. After all, you're responsible for the finances in this province.

**Hon Mr Sorbara:** I say to my friend from Simcoe-Grey that under the legislation they passed, the Balanced Budget Act, it provides that governments must bring in a balanced budget. If they don't, all the cabinet ministers in that executive council are required to pay back 25% of their salaries. When I see all of those ministers writing cheques to Her Majesty the Queen, I'll reconsider.

I want to tell my friend from Simcoe-Grey that my friend from Dufferin-Peel-Wellington-Grey received a payout on his previous pension of somewhere around \$1 million. In contrast to that, every year that I sit in this Parliament, I receive \$40,000 less than him and all of the members because of the clawback of my pension. That is right, and I accept that without qualification.

#### SMALL BUSINESS

**Mr Peter Fonseca (Mississauga East):** My question is for the Minister of Finance. Many of the residents of my riding of Mississauga East are small business owners. These people work hard each day to provide for themselves and their families and do not have the benefit of income protection. For many of these small business owners, increased competition from large corporations and major events such as SARS and the blackout have caused financial difficulties.

The current government is facing a \$5.6-billion deficit that it has inherited from the previous government. Our Fiscal Responsibility Act will go a long way in addressing this deficit. Minister, my question to you is, what will this bill mean to small business owners in my community and across the province?



1540

**Hon Greg Sorbara (Minister of Finance):** I'm delighted to get that question from my friend from Mississauga East.

During the course of the campaign, we knocked on the doors of many of those small businesses. When we wrote the terms of Bill 2, the Fiscal Responsibility Act, we had small business in mind. In fact, one measure in there will change the threshold for the minimum tax rate of 5.5% to \$400,000, from \$320,000. That alone will have a positive tax impact on some 3,000 small businesses across the province, many of them in the riding of Mississauga East. I say to my friend, who is both a small business person himself and an Olympian athlete, that the interest of small business is going to be right at the centre of our attention as we prepare our budget in the spring of next year.

**Mr Fonseca:** I'm so glad to hear that you recognize the difficult situation of small business owners across this province. It's important that we ensure the well-being of these small businesses as they play an integral part and role in our communities in which they operate, as well as the economic well-being of our province as a whole. Small businesses especially have been adversely affected by the financial mismanagement of the former Conservative government. Large deficits like the one the previous government left behind affected small businesses disproportionately. Minister, can you tell me what you plan to do to deal with this mess?

**Hon Mr Sorbara:** Small business people in Ontario know that if they ran their businesses like the previous government ran the province, they would no longer be in business. Within a few days, I will be bringing to this House the full economic statement which will set out the steps we're going to take to begin the reconstruction of Ontario's finances.

What small business people need in this province is a system where public services are at the very highest quality and the tax system takes into consideration the requirements of small businesses. Those two points will be central to the work that we do, not only over the course of the fall but throughout our first mandate in government.

#### SEVERANCE PAYMENTS

**Mr Robert W. Runciman (Leeds-Grenville):** Going back to the Minister of Finance, because we're not happy with his response related to severance: If he looks back and reads the minutes from Hansard, he might understand why we're less than satisfied with his response. Mr Smitherman said not very long ago, when talking about the severance of our leader, "What's good for the goose is good for the gander." That's the language Mr Smitherman used, and you're refusing to repay your severance. The minister can give all sorts of explanations and rationales, but the reality is that his party took a very different position when they were sitting on this side of the aisle. We're asking him to maintain that position, do

the right thing, stand up today and indicate that he will repay his severance.

**Hon Greg Sorbara (Minister of Finance):** It's passing strange to hear that question at this time from my friend for Leeds-Grenville who, two months and six days ago today, was elected to the Ontario Legislature. Two months ago he asked the people of Leeds-Grenville for a mandate to sit in this Parliament, and already he is speculating about giving up that mandate to run for another level of government. When he resigns from this Parliament, is he going to accept the severance that is due to him?

**The Speaker (Hon Alvin Curling):** Supplementary.

**Mr John R. Baird (Nepean-Carleton):** It goes to the central credibility of this government. This minister is the one responsible for the public purse. He'll set the tone. He will send the message out to every public servant and every group coming for money. It's very simple. Will you stand in your place, do the right thing and pay back the \$35,000? He can even take out his pen and write the cheque out to himself, to the Minister of Finance. Will he do the honourable thing? Will he send the right message and lead by example?

**Hon Mr Sorbara:** I do not need any lectures on credibility from the member for Nepean-Carleton. There is a member who, in his former capacity as energy minister, helped throw this province into a deep energy crisis.

*Interjections.*

**The Speaker:** Order.

**Hon Mr Sorbara:** My friend from Nepean-Carleton says, "Do the honourable thing." I think if my friend from Nepean-Carleton had the courage to admit it, he would admit in this House that this is a rather sleazy, uncalled-for attack on my integrity, and I simply do not accept it.

**The Speaker:** Petitions.

*Interjections.*

**The Speaker:** Petitions.

*Interjections.*

**The Speaker:** Petitions? Orders of the day.

**Interjection:** What about petitions?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** We've gone to orders of the day.

**The Speaker:** I shouted "petitions" three times and no one stood up. We have an agenda here, and as we go through, I'd like members to be much more orderly. The disorderliness has cost us some time, not even hearing me shouting it three times. I will go back to petitions.

#### PETITIONS

#### PROVINCIAL DEFICIT

**Mrs Julia Munro (York North):** "To the Legislative Assembly of Ontario:

"Whereas the government insists there is going to be a \$5.6-deficit;

"Whereas the government campaigned on a 'fully costed plan' that accounted for a \$2-billion deficit;

"Whereas the government campaigned on 'fully costed plan' that included a \$1-billion contingency fund;

"Whereas the government campaigned on a 'fully costed plan' which included over 230 promises;

"We, the undersigned, call upon the provincial government to take the responsible approach and immediately apply to the projected deficit the \$3 billion the government said they had set aside. We believe this will substantially increase Ontario's ability to balance the books during the current fiscal year and solve the financial dilemma faced by the government."

I affix my signature to this.

### EDUCATION FUNDING

**Mr Garfield Dunlop (Simcoe North):** My petition is to the Legislative Assembly of Ontario.

"Whereas the government has chosen to give free bailouts to the Toronto District School Board and other school boards;

"Whereas the government believes it is appropriate to ignore the laws and allow school boards to run deficits;

"Whereas the government attempted to satisfy the demands of their union friends rather than demand fiscal accountability within the education system;

"Whereas the government's new education funding has been almost completely allotted to the Toronto area in order to satisfy the demands of their Toronto-based Liberal ministers and promise-breaking colleagues;

"Whereas the government's new education funding is really just smoke and mirrors for a mass bailout of the Toronto District School Board;

"Whereas this government has chosen to raise the taxes of those who send their children to independent religious schools only to turn around and hand more money to the Catholic school boards;

"We, the undersigned, call upon the provincial government to: stop covering for the school boards and allow real fiscal accountability and responsibility to take shape within our province's education system. Stop bending to the demands of your union friends and make some tough decisions. Stop increasing the taxes of those who want to send their children to a religious school that is not in line with Premier McGuinty's faith."

I'll sign that petition.

1550

### MUNICIPAL RESTRUCTURING

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I'm pleased to stand in my place to present petitions from the good people of the former town of Ancaster, some 2,564 strong who have petitioned with about 83% of those approached signing the petition, which reads as follows:

"Petition to the Legislative Assembly of Ontario:

"Whereas we voters living within the boundaries of what was formerly known as the town of Ancaster are dissatisfied with the form and the results of amalgamation into the 'new' city of Hamilton (for example, reduced services and increased municipal taxes); and

"Whereas we do not accept the authoritarian methods used to establish our current system of municipal government; and

"Whereas, in the Wentworth citizens' referendum held in 1997, an overwhelming majority"—of some 96%—"of those who participated expressed pointed opposition to the amalgamation; and

"Whereas we consider it our democratic right to determine how we are governed;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows: to cause the holding of a binding referendum by means of which it would be possible to re-establish our municipality, historically known as the great town of Ancaster."

### SENIORS' PROPERTY TAX CREDIT

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** I have a petition to the Legislative Assembly of Ontario.

"Whereas Liberal leader Dalton McGuinty has announced plans to scrap the Ontario Home Property Tax Relief for Seniors Act, eliminating this tax break for renters and owners; and

"Whereas this tax relief would help Ontario seniors remain in their own apartments and houses, and assist them to meet rising costs; and

"Whereas this tax relief program would provide \$450 million in net benefits for 945,000 senior households;

"We, the undersigned, respectfully petition the Parliament of Ontario as follows:

"That the government of Ontario support Ontario seniors and help them remain in their own homes by maintaining the PCs' Ontario home property tax relief for seniors program and rejecting any proposal to take this tax break away from our senior citizens."

### OPTOMETRISTS

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly that reads as follows:

"Whereas the Legislative Assembly of the province of Ontario will be considering a private member's bill that aims to amend the Optometry Act to give optometrists the authority to prescribe therapeutic pharmaceutical agents for the treatment of certain eye diseases; and

"Whereas optometrists are highly trained and equipped with the knowledge and specialized instrumentation needed to effectively diagnose and treat certain eye problems; and

"Whereas extending the authority to prescribe TPAs to optometrists will help relieve the demands on ophthalmologists and physicians, who currently have the ex-



clusive domain for prescribing TPAs to optometry patients; and

"Whereas the bill introduced by New Democrat Peter Kormos (MPP—Niagara Centre) will ensure that patients receive prompt, timely, one-stop care where appropriate;

"Therefore, we support the bill proposing an amendment to the Optometry Act to give optometrists the authority to prescribe therapeutic pharmaceutical agents for the treatment of certain eye diseases and we encourage the government of Ontario to ensure speedy passage of the bill."

I agree with the petitioners and I've affixed my signature to this.

#### PROVINCIAL DEFICIT

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):**

"To the Legislative Assembly of Ontario:

"Whereas the government insists there is going to be a deficit higher than \$5.6 billion;

"Whereas this government is using old-style politics to demonize the past government at the expense of Ontario taxpayers;

"Whereas this government is using an inflated bogus deficit as a means to justify raising taxes on seniors, homeowners, job-creating businesses and families;

"Whereas this government is using an inflated bogus deficit as a means to justify their plan to further hurt seniors by raising the cost of their prescription drugs; and

"Whereas this government is using an inflated bogus deficit as a means to justify breaking even more promises;

"We, the undersigned, call upon the provincial government to stop playing dirty politics and start working for the taxpayers of this province."

I agree with this petition and I'm proud to affix my name to it.

#### SCHOOL CLOSURES

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I have a petition to present to the Legislative Assembly of Ontario which reads as follows:

"Whereas Dalton McGuinty, our newly elected Premier, has publicly pledged to move quickly to re-establish local democracy when it comes to public education in Ontario; and

"Whereas Mr McGuinty has publicly asked that 'cuts and school closures' should be 'set aside' and that 'that business' should be left for the incoming, duly elected trustees; and

"Whereas Mr Gerard Kennedy, our newly elected Minister of Education, has stated publicly that school boards aren't operating as closed shops any more; and

"Whereas there is universal support for the school amongst its staff, parent, and student body and the community at large; and

"Whereas Prince of Wales Public School in Barrie is the oldest continuously operating school in Simcoe county; and

"Whereas Prince of Wales Public School has been providing the community with quality education for more than 125 years; and

"Whereas the impact of the closure of Prince of Wales would be devastating on the whole of the downtown core, and most especially the urban neighbourhood which the school serves;

"Be it resolved that we, the undersigned, demand that the Dalton McGuinty government live up to its commitment and ensure that community schools are not forced to close and that specifically the Liberal government will immediately halt the closure of Prince of Wales Public School in Barrie."

I support it and affix my signature.

#### SMALL BUSINESS TAX RELIEF

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** I have another petition to the Legislative Assembly of Ontario:

"Whereas business tax cuts have helped fuel the strongest economic and job growth ever seen in Canada; and

"Whereas corporate income taxes on small businesses that create most of our new jobs have been scheduled to be reduced to 5% in 2004 and 4% in 2005; and

"Whereas the corporate income tax rate for manufacturing and processing firms has been scheduled to be cut to 10% for 2004, 9% in 2005 and 8% in 2006; and

"Whereas the general corporate income tax rate has been scheduled to be 11% for 2004, 9.5% for 2005 and 8% for 2006; and

"Whereas the capital tax on employers is on the road to be cut by 10% in 2004, with a plan to scrap it entirely;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the government of Ontario stay the course and maintain the scheduled tax reductions for job-creating businesses."

#### SCHOOL CLOSURES

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I have a petition to the Legislative Assembly of Ontario which reads as follows:

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"Whereas the impact of the closure of Prince of Wales would be devastating on the whole of the downtown core, and most especially the urban neighbourhood which the school serves;

"Be it resolved that we, the undersigned, demand that the Dalton McGuinty government live up to its commitment and ensure that community schools are not forced to close and that specifically the Liberal government will immediately halt the closure of Prince of Wales Public School in Barrie."

I support the petition and I affix my signature.

**Mr Jim Wilson (Simcoe-Grey):** "Whereas Dalton McGuinty, our newly elected Premier, has publicly pledged to move quickly to re-establish local democracy when it comes to public education in Ontario; and

"Whereas Mr McGuinty has publicly asked that 'cuts and school closures' should be 'set aside' and that 'that business' should be left for the incoming, duly elected trustees; and

"Whereas Mr Gerard Kennedy, our newly elected Minister of Education, has stated publicly that school boards aren't operating as closed shops any more; and

"Whereas there is universal support for the school amongst its staff, parent, and student body and the community at large; and

"Whereas Prince of Wales Public School in Barrie is the oldest continuously operating school in Simcoe county; and

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"Whereas the impact of the closure of Prince of Wales would be devastating on the whole of the downtown core, and most especially the urban neighbourhood which the school serves;

"Be it resolved that we, the undersigned, demand that the Dalton McGuinty government live up to its commitment and ensure that community schools are not forced to close and that, specifically, the Liberal government will immediately halt the closure of Prince of Wales Public School in Barrie."

I've signed that petition and agree with it.

1600

## ORDERS OF THE DAY

### FISCAL RESPONSIBILITY ACT, 2003

#### LOI DE 2003 SUR LA GESTION RESPONSABLE DES FINANCES

Resuming the debate adjourned on November 27, 2003, on the motion for second reading of Bill 2, An Act

respecting fiscal responsibility / *Projet de loi 2, Loi concernant la gestion responsable des finances.*

**The Deputy Speaker (Mr Bruce Crozier):** Further debate.

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** I'm very pleased to rise today and speak with respect to An Act respecting fiscal responsibility.

When we went out to the people of our various communities during the election campaign, we talked about and expressed our commitment to build an Ontario that would offer better jobs and a higher quality of life for all Ontarians. We talked about our commitment that we, as a province, achieve our potential. The commitment we made to the people of this province was that we would run a tight ship, build North America's best workforce, build an innovative economy and build a truly global Ontario.

It's a pleasure to rise and speak to this legislation because Bill 2, if passed, will keep a number of our government's key commitments to cancel several irresponsible tax giveaways as part of the new government's plan to tackle the \$5.6-billion deficit. This legislation is an important step toward meeting one of our core commitments: getting our fiscal house in order. We made that commitment because it's the very foundation of everything we want for Ontarians and everything we know Ontarians want for themselves. These include excellence in public education, improved health care, stronger communities and a prosperous economy.

The Fiscal Responsibility Act, 2003, proposes to do a number of things, and I want to highlight those various elements that we will be dealing with under this act.

We're going to roll back the latest portion of the tax giveaway to corporations. We know it is important to maintain a competitive corporate tax rate while ensuring Ontarians' capacity to provide quality public services. The general corporate income tax rate would increase to 14% and the manufacturing and processing tax rate would increase to 12%, effective January 1, 2004.

We also know that we need a strong economy, and as was discussed earlier today, we need to work with small business to ensure that they are profitable across the province. To help entrepreneurs and small business owners grow and flourish, small business with income below \$400,000 would benefit from a lower small business tax rate, which would remain at 5.5% for 2004 and subsequent years.

We've also committed to eliminating the seniors' education property tax credit. This will help ensure good schools for Ontario's children. Our commitment in Bill 2 will, if repealed, end current entitlements for seniors. Cancelling this measure would require consequential amendments to the Income Tax Act and the Municipal Act.

I want to talk about the importance of seniors to our various communities, in particular my own community of Etobicoke-Lakeshore. I had an opportunity during the last campaign to knock on doors and speak to seniors about why they were committed to paying their education



property tax. It had everything to do with their grandchildren. I think we can each think about our own grandparents, about the consequences of tax cuts on our education system and how each of our grandparents hope that we will do better than the last generation as we go on to various schools. I can think of grandmothers whom I've talked to on Norseman Avenue, for example, who raise: "I want to pay my education property tax because I want to make sure that my grandchild, who is in grade 1, who is in grade 2, will have a small class size, will be able to learn."

The other thing this act commits to is the elimination of the tax giveaway for private schools—again, a strong indication of our commitment to the public education system and the need to keep that money in our public education system.

These are just some of the highlights that we will undertake through this legislation to move toward our key commitment of getting our fiscal house in order.

I think what we heard from people during the last election was the importance of getting that fiscal house in order, because living within our means is not an end in itself; it is rather a means to an end. It is the foundation upon which we will build the future of this province.

If we're honest about, and I think the people of this province were very honest about, the consequence of corporate taxation and irresponsible tax cuts, the consequences of those tax cuts to the people of my community in Etobicoke-Lakeshore were extreme. We had an opportunity during the election to speak to people about the consequences of those tax cuts. What they said was, "I don't want an extra dollar in my pocket. What I want to know is that we have sound public services; that my children's class is not overcrowded; that my grandmother will be able to find a caring long-term-care facility; that if I need a family doctor, I will be able to have one; that we won't pollute our air with coal-fired generating facilities; that our water won't be polluted."

What we saw in the last election was the rejection of an approach over the past number of years that we only cared about ourselves. I spoke to many people in my own community, Etobicoke-Lakeshore up on the Kingsway, who said, "I am pleased to pay my taxes if I know that I am getting value for my tax dollar."

Coming with fiscal responsibility is the important step we are taking in making sure we do give value for tax dollars. I know it will be difficult for people across the province to accept that we do need to turn a corner. We do need to ensure that we give value for taxes. Over the past week we were saddened, disappointed and unfortunately not surprised by the report of the Provincial Auditor that was in essence a brutal indictment of the past government and their failures in giving value for those tax dollars. Ontarians know that we need to do better across the province.

What we have been left with, as we turned the corner and changed the direction of this government, is two deficits: a \$5.6-billion fiscal deficit and a massive public safety deficit. We've seen mismanagement. We've seen

monies misspent. With that history in place, I can understand the people in my community who approach us and say, "You must not waste my tax money. You must not waste my tax dollars." We are saying to the people across the province and in my own riding, "We are not going to waste your tax dollars. We know that we need to do better across this province and we are going to give you value for those dollars."

We're also going to do good and important things under this legislation such as increasing the tobacco tax. Smoking kills young people, old people, people across this province in the thousands. There are four times more deaths associated with smoking than from car accidents, suicide and AIDS. We need to make sure that young people don't start smoking. That is another sound component of this legislation.

Part of getting our fiscal house in order is to ensure that we build the future of this province on a base of rock rather than a base of sand. Although we didn't create the deficit that we are in, this is the first positive step: that we move forward, that we change directions. We didn't create the problem. We are going to fix it.

It's a responsible approach to governing. It's one that will give taxpayers value for the taxes that they entrust to the government to spend wisely. It is one that will better our province as we move forward in years to come. You don't build a better Ontario by wasting money, absolutely you don't. You don't build a better Ontario by crippling our education system, by cutting the funds available to our health care system, by not ensuring that our seniors have proper care, by polluting our air, by destroying our water system. Those are all important things that the people across this province have chosen in the last election that we reinvest in, that public infrastructure.

This is a first step to give people the straight goods, to move forward and to make sure that we as a province protect those future investments and that we have both a strong fiscal house in order and that we also have a very strong public infrastructure. I look forward to bringing that type of development across the province and in my own riding in Etobicoke-Lakeshore.

1610

**The Deputy Speaker:** Questions and comments?

**Mr Garfield Dunlop (Simcoe North):** I'm pleased to rise this afternoon to make a few comments about the speech made by the member from Etobicoke-Lakeshore. It was interesting how often she referred to seniors in her comments today. Certainly she's not hearing what I'm hearing. The seniors' tax credit was extremely important, particularly to a lot of low-income seniors living in my riding, in Simcoe county. I'm not talking about people who drive fancy cars or anything like that. I'm talking about people who have a hard time making ends meet as it is. They were certainly looking forward to the tax credit. In fact, in a lot of these cases it's not just a matter of giving them money back for the children's education, it's that a lot of families have to be very careful. They have to help support seniors as they age and they need some support. I can name numerous families like that. In



the last couple of weeks, since Mr McGuinty's plan came out and the largest tax hike in history, Bill 2, there's no question; I've heard from many of my constituents who are extremely concerned about the loss of this income as a tax credit.

Based on that, plus the fact that we also hear rumbblings from across—and we can't really get a direct answer out of the Minister of Finance or the Minister of Health, but we understand also now that you're looking at dabbling with the seniors' drug benefit plan. I think it's a disgrace to even bring it up at this point, but they are planning on doing this.

It will be interesting to hear comments back on that. I look forward to further debate this afternoon.

**Ms Shelley Martel (Nickel Belt):** I wanted to begin by saying that it's interesting—probably one thing I agree with is that there have been enormous, deep and very significant cuts to health, to education and to community services. The dilemma is—

**Mr Peter Kormos (Niagara Centre):** There are going to be more.

**Ms Martel:** —that there are going to be a whole lot more. I'm wondering why the member had nothing to say about that, because I have heard this government now use a \$4-billion figure repeatedly in terms of the cuts that are going to have to be made to deal with the deficit that they pretend they knew nothing about, even though their own finance critic was down in estimates in a very public way in June talking about a \$5-billion risk, a \$5-billion deficit.

There have been enormous cuts. It has had a huge impact on children, a huge impact on seniors and nursing homes, a huge impact on people's ability to access health care, and guess what? Those problems are going to get a whole lot worse, because the \$4 billion that this government is talking about cutting is going to come from those very same budgets. Those are the biggest budgets in the province of Ontario. You can't cut much more from the environment; the Conservatives did that for us. You can't cut much more from a whole host of community services, because the Conservatives did that for us too. If you're looking for \$4 billion, you're going back to the biggest budgets in the province, and those are the very areas where we've seen significant cuts and very serious impacts on Ontarians.

I'd be interested in hearing from the member, as she talks on the one hand about the significant cuts, what she thinks she and her party are going to do next in having to look for \$4 billion more worth of cuts. Because as much as they'd like to have said, and they did say in the past, that there was all kinds of government waste, the fact is most ministries have been cut to the bone. Most ministries have, like the Ministry of the Environment, and we saw the example of that in Walkerton. Another \$4 billion in cuts? People out there better get ready. You haven't seen anything yet in terms of the cuts to education and health care.

**Hon Greg Sorbara (Minister of Finance):** I had the opportunity to listen to the comments of my colleague

from Etobicoke-Lakeshore from the lobby, because we broadcast these things all over the building and all over the province, and I think she was right on in her comments. We're going to be voting on this bill at second reading later today, and I just want to tell my friends, as the member and minister responsible for presenting and moving this bill, that it's an extremely important piece of legislation which allows us to begin to get this province's financial house back in order.

No one who has ever sat as Minister of Finance or Treasurer in Ontario delights in taking measures that have the effect of raising taxes. But the fact is that the tax measures the previous government took debased the revenues of this province so severely that, as former Provincial Auditor Erik Peters said, we were no longer living within our means. The previous government created very serious financial problems for this government and therefore for the people of Ontario.

So this bill does exactly what we committed to do during the election campaign: It rolls back the tax cuts for large corporations that the previous government had put in place. That's extremely important. I've heard from corporations across Ontario that they understand these measures are necessary. They too realize that it is fundamental to their success that this province is on a sound financial footing.

I thank my friend from Etobicoke-Lakeshore for participating in the debate and making the comments she made.

**Mr Jim Wilson (Simcoe-Grey):** Thank you for the opportunity to respond to the honourable member from Etobicoke-Lakeshore's comments about this tax bill.

I hope all the members' opposite on the government side realize that it is the largest tax hike in the history of Ontario, some \$4 billion. There are two particular taxes in here that disturb me, and one is the increase of the corporation tax back to 2002 levels. I have a feeling you're going to find out in a few months—you can probably ride the coattails of the growing US economy for a few more months, because of the enormous tax cuts introduced there by George Bush, and create a few jobs in the province or at least stabilize the situation.

One thing that disturbed me during the campaign, in Simcoe-Grey anyway, was that the Liberal candidate, on behalf of the Liberal Party, never seemed to have any economic plan for how to keep the great economic miracle going that both Mike Harris and Ernie Eves created when we were in government. A key part of that was corporate tax cuts. If you do your research today, in the five jurisdictions we have to compete with on a day-to-day basis, we are still out of whack, all in taxes, all in business and corporate taxes. We're still out of whack. In fact, CNN last night pointed out Ontario and Canadian jurisdictions as still being out of whack. They actually said on CNN that obviously Canada doesn't get it, and they were talking about our province in particular, with respect to the tremendous success they're having with tax cuts south of the border.

As I said during the campaign, if taxes weren't so bloody high in this province, then I wouldn't be advo-



cating cutting them—at some point you can't cut them beyond what's reasonable. The fact of the matter is, there's going to be the usual tax-and-spend Liberals, the usual creating a false deficit. We had several months left to deal with the deficit that we knew was there. You're not going to do anything about the deficit. You're just going to keep increasing taxes, and you'll eventually kill jobs in this province.

**The Deputy Speaker:** The member from Etobicoke-Lakeshore has two minutes in summary.

**Ms Broten:** I'm pleased to respond to my friends opposite. Certainly it is clear that we need to get our fiscal house in order and to turn away from the dark days over the last eight years where the people of this province were given a false sense of what the fiscal house and the fiscal circumstance of this province were.

No one rushes to pay their taxes. Obviously, no one says, "Yay, I get to pay my taxes." But do you know what they do say? "Thank goodness there's a good school for my kids. Thank goodness our hospital system is working. Thank goodness the air is clean and I get to walk outside and breathe it. Thank goodness we now have a government in place that doesn't believe that turning on the tap and drinking some water and dying as a result of it is an acceptable thing in 2003."

The fact of the matter remains that we have inherited a \$5.6-billion deficit. But we remain as committed as we were during the election campaign to making sure Ontario is once again a society where we have a strong public infrastructure.

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With respect to corporations, I can tell my friend opposite, as someone who joins this House having left Bay and King, I think I have an understanding of the corporations in this province. They locate in our province because we have a good health care system, because we have a strong education system, because the infrastructure in our province gives high quality of life for the people who work for them. So what we need to do is make sure that people get value for their taxes. This legislation is an important first step to move us on our way to getting our fiscal house in order. We are committed to doing that. We're going to turn the corner. We're going to get Ontario back on a strong fiscal foundation to ensure that we can once again rebuild a public infrastructure that has been destroyed over the last eight years.

**The Deputy Speaker:** Further debate?

**Mr Wilson:** I appreciate the opportunity to join in the debate about what they call the Fiscal Responsibility Act, 2003. I call it the largest tax hike in Ontario's history. It certainly is some \$4 billion worth of taxes introduced here which I think will eventually kill the economy and set us back many years in terms of the economic recovery that occurred over the past few years. In the eight years we were in office we created over a million net new jobs and really turned around what was becoming an economic backwater through a lot of hard work and a lot of tough decisions and made it once again the economic engine of Canada.

I mentioned the Corporations Tax Act, in which this bill will increase corporate taxes back to what they were last year. The eyes of a lot of people I'm sure just glaze over and they say, "So what?" Corporations aren't bricks and mortar; they're people. They are people who invest in our small businesses and our corporations large and small. That will mean less economic activity, less opportunity to hire more people. I believe, and I have always believed—one of the reasons I'm a Conservative—that the greatest dignity that you can give a human being is the dignity of a job, the dignity not to have to rely on the state but to be able to rely on one's own resources, the resources of the community, a thriving community; to be able to raise a family in a responsible and self-sufficient manner without having to rely on handouts. Of course, the state is there for those who find themselves in unhappy situations. That's why we're happy to pay our taxes, but we are happy to pay our taxes at a reasonable amount that ensures that our neighbour has the same opportunity for employment that we have, that ensures that the tax regime isn't so high that everybody stops hiring new employees because as the payroll taxes go up, the corporate taxes go up.

It's easy to say you are going to raise them, but at the end of the day we need to see an economic plan for this province. I know the Minister of Finance will be bringing out a statement soon. I have a feeling that will be more of the blame game. I'm sure he's going to add to the already fictitious deficit that he's racked up with the help of Mr Peters. I'm sure that'll just get worse and that will actually be the story of that day. Old tricks seem to come around and around in this place.

The second tax that is a true tax hike is the seniors' tax credit we had passed which, for the average senior in Simcoe-Grey, was about \$600 per senior household; on average about \$475 across the province. If that had taken effect, the forms would have gone out on January 1, just a few weeks away. That was there to try to give seniors an equal hand up to other people who received income tax cuts.

As I explained during the campaign, during seven or eight all-candidates' meetings in my riding, by that time in their lives seniors usually have a lower income stream coming into the house; therefore they didn't benefit as much from our previous income-tax-based cuts. We wanted to make sure that they received a benefit directly, so we called it the seniors' education property tax cut. We could have called it anything. It was a way to get, on average, \$475 into the pockets of seniors in this province who desperately need it. The price of drugs is going up. The government of course will do what other governments have all had to do, and that is probably limit access to the drug plan because it is growing exponentially and there is no way this province or any province in this country can afford to keep up with that. So when you deal with that, mark my words: You're going to have to do something about it. The price of health care is already 47%—47 cents on every dollar that comes in is earmarked for health care in this province and more and more people will have to pay out of pocket.



Our seniors are not the great, big, rich, fat cats that some people like to say. I've heard debate in this House in the last two weeks—unfortunately I was at home with pneumonia, but I did see it on television—that our seniors are better off than any other seniors in the history of this province. Maybe that's true in some regard, but it's not true in the riding of Simcoe-Grey. The average income for seniors per household is about \$35,000. I don't consider that rich. Many of them live in trailer camps, in mobile home communities, which are very nice and well-kept, but I think many of these seniors would have preferred to keep the family home or would have preferred perhaps a little boost in their income to help them through these times. It was an attempt by us to try and get some money in seniors' pockets. Of course, the Liberals are wiping that out.

The Liberals are also getting rid of the equity in education tax credit through this legislation, which means that the independent schools, like the ones in my riding, and the parents who work so hard to send their children to those independent schools because they believe their children are going to get an excellent education in those schools—and in a free and a democratic society they should have the right to do that. We should fully fund public education, separate and public and French, but we should also respect those parents who want to send their children to independent schools.

I think it's just fundamentally unfair that those parents today pay two taxes. They fully pay their school tax through their property taxes, because they have to by law, and then they pay, in addition, for their children to go to an independent school, like the schools in my riding: the Pretty River Academy, an elementary and secondary school in Collingwood; Silvercrest Christian School, an elementary school in Wasaga Beach; the Alliston Community Christian School, which is an elementary school in Alliston; Thor College, which is a very prestigious institute in Thornton in my riding, containing both elementary and secondary school students; Little House Montessori School, an elementary school in Collingwood; Elizabeth Simcoe Private School, an elementary and secondary school in Utopia in my riding; the Sheila Morrison School, which probably leads them all for the history of independent schools, outside of the Christian schools in this province. It began with dealing with difficult children. The only good placement where they probably had a hope of acquiring the skills needed in life and acquiring the employment skills they're going to need later in life was the Sheila Morrison School. She started it many decades ago and it is a terrific independent school located in Utopia in my riding, and indeed is a model for many, many other schools and programs to get young people back on the right track and give them the skills they need to succeed in life.

St Paul's Evangelical Christian School, which contains both elementary and secondary school students in Minesing in my riding—all of those hundreds and thousands of parents won't be able to receive the little boost we were going to give them with the equity in education tax credit.

Again, for those people who attended all-candidates' meetings and screamed the bejesus—they were all Liberals, screaming at me—I simply don't believe that you should have to pay two taxes. I'm a Catholic in this province, and I can tell you, for the first 25 years of my life, my family paid two taxes, and it's no darn fun. You had to pay your public school tax. You had to pay your separate school tax up to grade 12, and Bill Davis extended it one year. Of course, we lost government in 1985 because of that. That was the issue. In simple fairness, Quebec fully funded both its public and separate school systems, so there never was this debate. Chintzy Ontario decided to stop short one year, Grade 13. In 1985, we corrected that.

Mike Harris historically corrected funding in all of the province during his time in office, during our time in office over the last eight years. We fully fund now every student in the province the same per pupil, per head. Whether you live in Timmins or James Bay, North Bay, Thunder Bay, Toronto, Collingwood or Alliston, you're worth the same amount of money per pupil in your school board, forced on you by the Ontario government.

Yes, Toronto is mad at us, because we are taking a couple of hundred million dollars a year out of Toronto's lucrative industrial and commercial tax base to pay for schools in Simcoe county, to pay for equal and equitable funding in Thunder Bay and North Bay. I'm the former minister of the north, and there's one thing we were very, very proud of in terms of the equity in funding formula that we brought forward.

I regret, in this piece of legislation, that seniors won't get a little boost up. I regret that the equity in education tax credit is being dissolved. I regret that \$4 billion worth of new taxes, the largest tax hike in Ontario history, is being thrust upon the people of Ontario just before Christmas. Of course, they won't feel the effect of most of these taxes for many months to come.

1630

Finally, I regret that the Minister of Finance won't pay back his severance—\$35,000. It's not going to hurt him very much personally, from what I understand. He goes on to blab about \$40,000 worth of pension he doesn't get. There's no one in this House other than Ted Arnott and I who suffered more with the cancellation of the gold-plated MPP pension plan. We got nothing. I was elected in 1990 and 1995, and one of the first bills we passed was the elimination of the gold-plated pension plan, which said that after 15 years you got 75% of your best three years' salary. As a minister of the crown, that would have been about \$78,000 the rest of my life. I don't get one penny. We made that bill retroactive to the day before we were elected in 1995, so I got nothing for 1990 to 1995. Ted Arnott and I, being the age that we are on this side of the House, would have been pensioned out two years from now at 42 years of age, but we don't get our \$78,000 a year. We don't get anything. My accountant tells me that if I live to be 73, I gave up \$2.7 million worth of pension.

So don't give me this crap. I get nothing the day I leave. You've got something from the days you were



here in the past. The rules changed, Greg. The fact of the matter is that you should pay back your severance. It's the honourable thing to do. You were given that money because they thought you were gone. When you come back, you should pay it back. I really, really believe that—

**The Deputy Speaker:** I would remind the member that you not refer to someone by name and that you direct your comments through the Speaker.

**Mr Wilson:** I apologize for that, Mr Speaker. The fact of the matter is that when the Liberals were on this side of the House, they had one set of rules. They have another set of rules now, and that bothers me as much as anything.

**The Deputy Speaker:** Questions and comments?

**Mr Kormos:** This is about it in terms of speaking participation in this bill, because this government has time-allocated almost every bill that's before the House. They proceeded to time-allocate before even the Tories ever dared do it. Boy, did the Liberals used to rail—and rightly so—when the Tories would impose guillotine motions to cut off debate.

Let's see what we've got. We've got Bills 2, 4, 5, all of them significant, substantive bills. Debate's finished, with but one day of public hearings, because the second day surely is going to have to be devoted to clause-by-clause. Here's a government that talks about reforming democracy. It's going to need reforming by the time they're finished with it. They've shut the door on democracy, time-allocated three bills, two substantive motions; committee hearings of but one day for public participation. Shame on you guys. The Tories didn't even stoop that low. And an omnibus time allocation bill? Unheard of in this chamber. Why? In the name of a three-month vacation, so that being here but two days before this government, these Liberals, here at Queen's Park introduced a motion that would give them a three-month vacation through the months of January, February and March.

Let me tell you, I hear some whining coming from the background. The Liberals' favourite whine is, "What do you mean? We only got three months' vacation? We should have four." Well, I suppose next time, if you want four months instead of three months, move a motion that says four months' vacation.

I've never seen a government come here and sit but two days before they vote themselves a three-month vacation. I've got people down where I come from—down in Niagara Centre, Welland, Thorold, Pelham, south St Catharines, Port Colborne, Thorold south, Niagara Falls, north St Catharines, Port Dalhousie—who are worried about how they're going to pay their electricity bills this winter with the cap removed, how they're going to pay their natural gas utility bills this winter, and the Liberals are only worried about making sure they get three months' vacation.

**Mr Dominic Agostino (Hamilton East):** I rise to contribute a response.

First of all, I find it intriguing to listen to a former minister of a Conservative government lecture this Legis-

lature and this province about fiscal responsibility. It is absolutely absurd.

We just received a report on OPG. The member who just spoke was a former energy minister, one of the many responsible for what has become probably the boondoggle of all boondoggles in Ontario's history. It is a mess. It is fiscally out of control. Basically, they appointed a bunch of political hacks to run this, and now we have seen the mess we're in. So to get a lecture from a government that said, "We have balanced the budget"—and now we find out that we're in a significant deficit situation in the province of Ontario. Every day the Minister of Finance finds out a new surprise, a new boondoggle that this government has left behind.

What we are doing is, we're following through on our commitments. We talked about our priorities during the election. We didn't go to the people of Ontario with any sort of misinformed view of what the province would be like. We have said we will deal with the seniors' tax credit. We said we would cancel the private school tax credit and the corporate tax credit and raise tobacco taxes. It was a question of priorities. The previous government's priorities continue to be corporate tax cuts for their rich friends. We believe that it's more important to invest our money in health care, education, clean air and clean water, but significantly now we also have to deal with the mess that has been left behind by this government.

To get a lecture from a Conservative member, and particularly a former minister, is absolutely ludicrous because in eight years of unprecedented economic growth you have managed to mess up the economy of this province, the deficit of this province and the fiscal situation of this province like no government has in the history of Ontario. You should be ashamed of yourselves. Don't be lecturing us.

**Mr Gerry Martiniuk (Cambridge):** We are dealing with a bill respecting fiscal responsibility. I would suggest that it should be called "the bill forwarded by the grinch who stole Christmas." That grinch happens to be the Premier of Ontario, newly elected, who has caused great hardship to seniors in this province, many of whom are waiting, have been counting on this to make this a Christmas and make their year less difficult than it presently is. That has been yanked away from them, and they will suffer because of it. The Liberals on the other side of the House and the government will have to abide by that suffering.

They say it's all in the name of a deficit—a phony deficit. Yet they can find money to spend when they want to. The old Ottawa-Toronto axis is back in business. All of a sudden, even though we had this enormous deficit, we find that we can spend \$50 million on the TTC. Where did that money come from? The Toronto-Ottawa axis. If you're not from Toronto, you're not going to see any money, but there it goes.

How about the \$112 million we're going to spend on Toronto and Ottawa education, not anywhere else? Waterloo region will not see one cent of that money. It's



all going to Toronto and Ottawa. You know it. The establishment of this province is back in business, and you're backing it.

**Ms Caroline Di Cocco (Sarnia-Lambton):** It's important to note that it has been eight years of fiscal mismanagement, and it isn't this government that is saying this; it is the former Provincial Auditor, who found a \$5.6-billion deficit.

This legislation is an important step in meeting one of our core commitments, and that is to get the province's fiscal house in order. More important, the people of Ontario made a choice on October 2, a clear choice, to say that we have to also get our social debt in order. In other words, we have a deficit dealing with education, we have a deficit dealing with our health care, with our environment. It's more than just about cuts; it's about actual accountability of our public dollars.

We're going to change the Audit Act, and by changing the Audit Act we'll at least have oversight from the Provincial Auditor so that we can evaluate where these dollars are going. We haven't had that.

I would ask anyone who is watching to take a look at the Provincial Auditor's report of December 2, 2003, because the Provincial Auditor noted a very significant, irresponsible lack of spending, as well as spending, of taxpayers' dollars. So we have a huge challenge. We have a fiscal deficit, and we have a social deficit. We're going to tackle those, and we're going to succeed.

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**The Deputy Speaker:** The member for Simcoe-Grey.

**Mr Wilson:** The member for Hamilton East mentioned the energy portfolio. Yes, I was minister there for a number of years. I wouldn't throw stones at glass houses, though. The real question that I've never played up—but I'm not dead yet—is why did the Minister of Energy, a few months after coming to office, have to shut down 10 of 20 nuclear units after the NDPs and Liberals ran them for 10 years—the largest shutdown in the history of the nuclear world, in the history of the world, and certainly the history of North America? I'll write that book yet, and I'll publish. You'll be ashamed of your predecessors in this province, who didn't even do the basic maintenance.

By the way, Maurice Strong under the NDP made more money than Bill Farlinger. The top executives under David Peterson made millions more in salary than what our guys did when they came in. Yes, we didn't do a very good job of cleaning up the mess, but the real mess was created in the decade before we came to office.

The proof is not my word for it; the proof is 10 of 20 reactors shut down because of mismanagement and improper maintenance done prior to our coming to office. It's going to take you probably eight more years to even get some of those nuts and bolts back on line. I can tell you, the mess is so deep, the mess is so bad—and when you're dealing with nuclear energy, nothing happens overnight in terms of the safety you have to go through, in terms of the processes you have to go through with the federal nuclear watchdog. I can tell you, and Jim Bradley

will tell you, and Sean Conway if he was still here would tell you, It's going to take many, many more years. We had a crew in there trying to clean it up, and yes, they weren't successful.

I wish you luck, but I wouldn't throw stones at glass houses, because the decade when you and the NDP were in was a real disgrace. The proof was in having to shut down 10 of 20 nuclear reactors. So don't throw stones at glass houses.

With respect to the tax increases in this bill, you're going to find that you will have killed jobs in this province. Three years from now, you'll be wondering why there's so many people unemployed.

**The Deputy Speaker:** Further debate?

**Mr Kormos:** The nice thing about being a New Democrat is that you can criticize the Liberals and the Tories equally. You can take shots at Ottawa and not feel any guilt or worry about, perhaps, engaging in career-limiting moves.

I've got to tell you that the change in tune—because I'm listening to Tory backbenchers here talking about this government riding the wave of the US economy. Lord love a duck, that's what we were telling the Tories for the last eight years: that the economic growth here in this province was as a result of the growth in the US economy and as a result of, amongst other things, the incredibly low value of the Canadian dollar. They're saying, "Oh no, it's Mike Harris's tax cuts that are generating this growth." We said, "Oh, horsefeathers. What kind of planet do come from that you believe that stuff?" The fact is that now we are listening as Tories engage in some of the same arguments. I guess they've relinquished their claim to having been responsible for the economic growth. Well, why shouldn't they, because, heck, they were also responsible for a huge deficit in the course of a period of prosperity. It's just unheard-of. It's so typical of right-wing governments.

I suppose the really scary thing now—well, the scary thing is that you've got the former Minister of Energy talking about the history of nuclear power. If you take a look at the history of nuclear power, you're looking at John Robarts and his successor. You're looking at the relationship between them and one Steve Roman and Denison Mines and the sweetheart deals that—God bless Steve Roman; I say, all power to him. But the sweetheart deals that he struck with the Tory government of the day with respect to uranium that he was mining up in Elliot Lake—deals that continued to plague this province well into the early 1990s before those contracts were finally ended.

You're talking about a fascination, a passion, for nuclear energy which was never advocated by New Democrats, nuclear electricity production having proven to be one of the most dangerous, most expensive and, at the end of the day, most difficult to wrap up and clean up and take care of. That's why I'm proud of the NDP position, which has been quite clear about telling this government and previous governments that nuclear power plants are not the way to go. What we've got to



develop now is a systematic shutdown of those nuclear power plants. They are a black pit. They are a money hole. They are going to continue to cost taxpayers huge, huge amounts of dollars and pose significant dangers to the public as well.

We're talking about a bill that's time-allocated. I've got to talk fast, because I've only got 10 minutes to debate this bill, because this government didn't see fit to allow a thorough debate. One of the reasons why this government says that it's gotta do what it's gotta do is so that its backbenchers can participate in the debate on this bill. But I've been here night after night after night, and most of the time Liberals aren't involved in the debate.

*Interjection.*

**Mr Kormos:** Neither are the Conservatives. They're not here either. They don't want to debate these things. They pass in rotation, pass in rotation, pass in rotation. Why, I was here Thursday night when we were debating a motion that had been time-allocated. Did the Liberals want to participate in the debate? No. They sat there mute, I say kindly. Did the Conservatives want to participate in debate? No. They sat there mute, I say rather generously. New Democrats had to carry it. There are only seven of us. We understand that. As I told you before, I wish we were the dirty dozen, but we're only the magnificent seven. We do the best we can.

Night after night I've been in here, and I've seen Liberal backbenchers not wanting to participate in the debate. And then they vote for a time allocation motion that cuts off debate, which means they'll never be involved with it. Come on, you newly elected members. Your folks back home want to hear from you. They want to get the clicker tuned up to whatever cable channel it is that shows the Legislative Assembly broadcast in their home riding. They want to see you on your feet speaking about Bill 2. They want to hear from you.

Did you Liberal backbenchers take care of your folks back home? No. You voted for time allocation, which guarantees that you won't be able to debate this bill because you cut off debate. And you didn't even have enough common sense to ensure there were going to be anywhere near enough public hearings. One day is what it amounts to, one crummy day here in Toronto on Bill 2, the one you're so proud of, never mind Bills 4 and 5. Oh yeah, a second day. Well, that's going to be tied up in a rather pitiful clause-by-clause discussion. You're going to learn in short order that there's no meaningful clause-by-clause in the course of two hours—that's what you've allowed yourself, from 10 in the morning till 12 noon. Take a look at what you voted for in your time allocation motion, because at four o'clock that afternoon you immediately go into voting on clause-by-clause and any amendments.

You guys haven't just shot yourselves in the foot; you've riddled yourselves because you've cut off debate. You shut the door on committee hearings. You slammed the door on members of the public who believed you when you promised you were going to do things differently. They did. People voted for you, where you

folks come from, because they believed you were going to do things differently, and now it ends up you're doing things the same old way. The palace guard has changed its uniform, but it's the same old palace guard.

I go back home all weekend. I was talking to the Korean Veterans Association in St Catharines on Saturday night—it was the 50th anniversary of the armistice in the Korean War. I was down at the market square on Saturday morning, and I was over at the minor hockey house because they were doing a fundraiser breakfast to raise money for minor hockey. All day Saturday and all day Sunday I got people standing there shaking their heads saying they just don't understand what happened to those Liberals at Queen's Park. Even folks who didn't vote Liberal—down where I come from, people voted Liberal, but they didn't vote Liberal as much as they voted NDP. Obviously it was different in other ridings. But even a whole lot of folks who didn't vote Liberal said, "I didn't vote Liberal—fair enough—but I still expected the Liberals to be different." They've become tired and frustrated and disappointed and discouraged at eight years of Tory ham-fisted, jackboot-style government. And what happens? You're not even here two weeks before you move an omnibus time allocation motion cutting off debate on Bills 2, 4 and 5 and cutting off debate on two substantive motions.

*Interjection.*

**Mr Kormos:** Organized? If folks watched question period today—when I was a kid, I used to believe in government conspiracies. It was the 1960s, and you were supposed to believe in them. I believed in them. Maybe some of you did too. I believed in government conspiracies. Then I get here to Queen's Park and I'm actually in a government caucus and I realize there are no government conspiracies, not because governments don't want to but because they're incapable of it, and you guys are no different. People who watched question period today saw this finely oiled machine at its finest.

**Mr Levac:** Oops.

**Mr Kormos:** Oops is right. What a mess. A finely tuned machine—it wasn't just the monkey wrench, it was the whole monkey climbing through the sprockets and gears. You haven't been here two weeks before you move and pass an omnibus time allocation motion that even the Tories didn't dare impose. And all the ranting and railing you did—mind you, you did it with the collaboration of the Tories. I should tell you—Billy Murdoch may want to know this. Billy Murdoch's people are standing up, aiding and abetting—not just aiding and abetting but collaborating with the government.

1650

Mr Murdoch, the member from Bruce-Grey-Owen Sound, if I were in your riding, I would have great concern about the extent to which the Conservative caucus, of which you are a member, is working so intimately with the Liberals. If I was in your riding, I'd say, "I voted for a Conservative. I didn't expect my member to be part of a caucus that was going to suck up to the Liberals and help them pass their legislation." The



Conservatives passed, voted with the government on the time allocation motion. The Conservatives actually helped plan it. They admitted that. They thought it was a great idea. It's true. The Conservative House leader stood up, proud as punch, and said, "By golly, the Conservatives participated in drafting a time allocation motion with the Liberals that even Conservatives wouldn't have dared try to pass in this House." The Conservatives had to wait for the Liberals to get elected before they could pass an omnibus time allocation motion. We've never seen one of those before.

It's incredible. This is downright Kafkaesque, something that's been coming to mind the last couple of weeks, and question period today really capped it off. Question period today, for me—anybody who's seen a John Waters movie would appreciate question period today. It had all the same messiness, vulgarity and outrageousness—honest. Question period today was typical of, I suspect, what we're going to be seeing for four years now. Oh, more of those government backbenchers—all those tough backbench questions, the ones the ministers write for you. Aren't you ashamed to stand up and read those? Yikes. People watching know what's happening. They know you're selling yourselves short. Well, you are. They wanted you to come here and be strong, be brave, stand up against tyranny; rather, you've joined forces with it. It's a sad day.

**The Deputy Speaker:** Questions and comments. The member for Bramalea—well, you were standing. Don't be shy.

**Mr Kuldip Kular (Bramalea-Gore-Malton-Springdale):** It's very interesting that the member from Niagara Centre is supposed to talk about the fiscal responsibility bill, but he has not been talking about this bill, the fiscal responsibility bill.

This piece of legislation is a very important first step in meeting one of this government's core commitments. What is that core commitment? The core commitment is putting Ontario's fiscal house in order, which includes improved health care, stronger communities and excellence in public education. The people of Ontario gave us a mandate to put Ontario's economy on a positive path. They gave us a mandate to bring about positive change in Ontario. This bill on fiscal responsibility makes tax rates very competitive for our businesses in Ontario. That's the mandate the people of Ontario gave us, and that's what this bill on fiscal responsibility is all about. That's our promise, and we are ready to fulfill it.

**Mr Robert W. Runciman (Leeds-Grenville):** I want to say that the official opposition recognizes that you have been given a mandate. I think we have shown that with respect to our actions in the Legislature. I think the member who spoke used the term "sucking up" to the government. I'm not sure that's parliamentary. But I want to say that certainly the official opposition worked hard on behalf of the seven-member NDP to ensure that they were afforded appropriate opportunities in this House. We took that stand on their behalf.

I can appreciate the government's view with respect to this, because they watched, after we reached an agree-

ment with the NDP, the treatment we received for four years from the third party. They were completely obstructionist after we reached an agreement with them.

I can say as well that we talked about why they're doing what they're doing. The member was very critical about a debate here on Thursday night when there weren't members participating other than the NDP. That debate was about the appointment of the Deputy Speaker in this House.

We have very important pieces of legislation before us; we have a responsibility to debate those fully, whether it's the energy bill, whether it's the Fiscal Responsibility Act or whether it's the hydro legislation. But the members opposite wanted to debate the appointment of a Deputy Speaker and take up the whole evening debating that. I would ask the viewers if that's responsible opposition. I don't think so. I think most Ontarians would agree that that's not responsible opposition. I would ask the third party to step back. I think their act has gone a little too long and that most Ontarians recognize they're not performing an appropriate role in this place. I would encourage them to take a different view of the world.

**Mr Lou Rinaldi (Northumberland):** I'd like to take a couple of minutes to comment on my friend from Niagara Centre.

Coming from a municipal background, I find it very disturbing that we come here to be lectured and entertained and we tend to forget what we're really here for, what the people of Ontario sent us here for, regardless of party stripe. I know what the people in my riding told me, and I had very good competition, my counterpart, a former member.

We all preached to the people what we believed, and I respected my counterpart to bring his party message forward. They made a choice, and our choice was very, very clear. I believe both parties were clear. All three parties, all five, in my riding were clear on what they believed in, and I respected that; that's democracy. But we get here today and whatever day it was last week—I believe it was Tuesday—all I could hear were bells all day instead of doing House business.

I could hear bells all day and it wasn't because of us; it was because our friends to the end here didn't really want to participate in the democratic process. Let's get down to business. I should tell them, through you, Mr Speaker, that if this government's making a wrong decision, there'll be a referendum in four years, and I think at that time they will be able to bring forward what they'd like to bring forward. I mean, why wait until two months after the election to bring out a platform that hasn't worked before?

So we're delivering what we promised; we're down to a T. The comments I get are quite contrary to what my friend from Niagara Centre is bringing, because I'm actually getting comments when I'm down in my riding that we're finally moving forward. We need to move forward even faster if we want to really bring change to Ontario. That's what we need.



**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** It's a pleasure to take part in this and congratulate the member from the NDP on his speech. He always gives an excellent speech in here. Sometimes he's off topic, as you all know, but that's OK; he does bring something to this House.

Something the Liberals have managed to do by putting the rump between us is they've managed to have the opposition parties fighting against each other. That's what you guys wanted and that's unfortunate, because that's not democracy. That's one of your promises you have broken.

The minister today said that he's going to bring in some new laws, and we'll have to wait and see what happens. But on this bill, actually you've kept some promises. It's strange; these would have been the good ones you could have broken: our tax credit for our private schools, you certainly could've broken that one. Our tax credits to our small businesses, small businesses that make this economy run, you people are going to put them in dire straits and you're going to see some big problems here. It's unfortunate that you're doing that.

You're saying that we've got this \$5.6-billion boondoggle non-balanced budget. We're only half way through the season, folks, and if you're going to believe some high-priced consultant whom you weren't going to hire—right off the bat, the first thing you do is hire a high-priced consultant to come out and tell you that there's something wrong, while your own finance wizard over there was telling you that anyway. You didn't need to go out and spend that money, but you thought, "Well, let's hire Peters. He's a poor man who doesn't have a job now. Let's give him a job and we'll have him tell us what we want him to tell us," which he did.

You can look at that bogus deficit and you people can sit back on your laurels and blame that all you want, but it will come down to you to balance the budget. You're the guys in government now and you've got to start to take responsibility. That's the unfortunate part. You're not doing that.

As I say, we certainly will be voting against this bill because I think you're wrong on many spots in this bill, it's really unfortunate, and one of them is our private schools.

1700

**The Deputy Speaker:** The member for Niagara Centre has two minutes in summary.

**Mr Kormos:** Gosh, let me say to the folks whose heads are still ringing, look, if you didn't want to hear bells ring, why did you vote for the time allocation motion that cut off debate on this bill, on Bill 4 and on Bill 5? Why did you support a time allocation motion that basically gave each and every one of those three bills but one day of public hearings, two hours in the morning and two hours in the afternoon?

What are you guys talking about? You guys voted for a time allocation motion that cut off debate on three substantive bills, three of the first bills that this government pursues, and then you not only cut off debate on

second reading and allow for but a couple of hours of crummy debate on third, but you deny public hearings so that there can be no public input into either of Bill 2, Bill 4 or Bill 5.

You Liberals, with your Tory friends, and the Liberal House leader, along with the Tory House leader, worked together very hard and very closely—tight, like this—to make sure that the time allocation motion would be more egregious than any time allocation motion that the Tories dare concoct on their own. The Tories needed to elect the Liberals so that they could work together to do the mother of all time allocation motions, to do omnibus, mega, super-duper time allocation motions.

Please. You guys are standing up here talking about democracy. How dare you, when you voted for a time allocation motion that cut off debate on Bills 2, 4 and 5, that denied any meaningful public hearings? You see, what you're supposed to be doing during the hiatus of January, February and March is travelling with committees. That's what those months are for. Instead, you guys are going on vacation because you killed committee hearings with your time allocation motion.

**The Deputy Speaker:** The member's time has expired.

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** I rise late this afternoon as the time progresses to engage in the debate with respect to Bill 2, An Act respecting fiscal responsibility. I think it's an important bill, and the context of the name is important in and of itself.

During the course of the debate over the past few days and weeks, on occasion people raised questions about the name of a bill, the name of an act that might be an act if this Legislature approves it. This one speaks to our fiscal condition in Ontario and a strategy that respects both that and the taxpayers of Ontario.

The bill charts a course for recovery from the overwhelming burden. Although I've heard it said here on a number of occasions across the House about bogus deficits and the like, this is a real deficit. This is a \$5.6-billion real deficit. It is burdening the taxpayers of Ontario and this government.

This bill will help to set the stage for recovery from that burden. It addresses improvements in fundamentals, the cornerstones as we refer to them or the foundation, as the Premier has spoken to, the necessity to put the province back on track financially. It won't come easy. It's not going to come in a short period of time; the turnaround will be extensive.

It also sets the stage for recovery in respect of public services here in Ontario. It's an effort to ensure that as we move forward we can reach the goals of excellence in public education for all, that the objectives of smaller class sizes, to be starting with the primary grade, can be met.

Unless we deal with this piece of legislation, we'll have difficulty achieving the very goals the people of Ontario put us here for; we'll have difficulty providing the quality of health care that the people of Ontario expect from us; or providing the clean air and clean water



that people so much demand; or continuing to build strong communities and working toward a prosperous economy.

I want to spend a little bit of time, if I can, on some of the elements of the bill and how they affect or will affect the lives of Ontarians.

I want to speak briefly to the matter of the tobacco tax. Tobacco use is clearly harmful to all ages, but much more so among the young, the youth in our community. If by the adjustment in this legislation the increase in taxation helps to move some of those young people away from smoking, then that's a good thing. We're acting quickly in that matter. As a matter of fact, the increase in taxation was implemented November 25, immediately, so no one could take advantage of that particular situation. Tobacco is the leading cause of deaths in the province, killing some 16,000 people a year, four times more than deaths from auto accidents, suicide, homicide and AIDS combined, all four of those that we find so horrific. Yet, death from smoking is four times greater. If this adjustment in legislation assists in bringing that number down, then it's the right way to go. We made it quite clear in the campaign platform that we need to see this province move toward the level of taxation in other provinces across the country with respect to tobacco.

We're committed to moving to that national average. Smuggling, contraband, is always a concern. As taxes increase, there's a greater likelihood that people will try that. Moving in a somewhat modest way will mitigate the impact from contraband and smuggling. We're moving away from the lowest cigarette taxation in the country to one that better reflects what's happening elsewhere.

On the energy front, we've taken some actions with respect to conservation measures. By extending the rebate available under the retail sales tax for the purchase of Energy Star-rated refrigerators, dishwashers, clothes washers and dryers, we've continued the incentive that's so desperately needed. It sets the tone for other actions that are being taken in other pieces of legislation with respect to energy. Unless we get a clear and good handle on energy measures and conservation measures in Ontario, we face some dire consequences. We know what's happened over the past year, this past summer, as people have rallied around the blackout, but it drove home how desperate the situation is in Ontario with respect to energy. It drove home that in winter or summer we run the risk of running out of energy, and as recently as the other day, with the Epp report, identifying a serious concern with regard to one energy facility, the Pickering A plant. It may very well be indicative of the types of costs that are going to be incurred to supply energy at the levels we need. If the energy conservation measure assists in driving home to people the need to use energy wisely and frugally, then that part of the legislation will be of value.

During the campaign we spoke a lot about building stronger communities. We talked about public transit and public transportation. When this legislation is the opportunity for municipalities to be able to extend their devel-

opment charges bylaws for a further year, that will ensure that the development industry that grows and prospers in our communities will continue to pay a fair share of costs for capital in GO Transit. It sets the stage for opportunities for capital improvements in GO Transit, it reinforces the commitment to public transportation and it will encourage municipalities to enhance their own fleets, and give us the opportunity to work through, as was spoken to today by ministers present, the application of gasoline tax, so we'll be able to make those connections between GO and the local transit systems.

1710

The Ontario Loan Act, 2003, is included in this as well. It is to provide the opportunity necessary to ensure that the deficit situation is covered and to ensure that the at-risk money that was identified in the Peters report could be covered. Clearly, that at-risk money is beginning to surface and may very well be off-book debt not yet identified in the process we've been in.

Through this legislation, this will provide the opportunity to ensure that we can invest in key programs in education and health care. We only need to read the papers of the last weekend to learn the dire straits that nursing homes and seniors' care facilities are in across Ontario. So we need the resources necessary for that, and the Ontario Loan Act at least gives us a provision at this point to protect ourselves during this year.

This particular legislation provides the basis to ensure that during the balance of this year we are in good stead, that we're setting out the right objectives and the right targets for the people of the province of Ontario, as we committed to.

**The Deputy Speaker:** Questions and comments?

**Mr Runciman:** I'm not going to spend a lot of time responding to that directly because it's really the pap that's produced by the Liberal members' services, and the members stand here and read it, not necessarily knowing what's in the material or understanding or even supporting what they're reading on behalf of the leadership of their party.

They say this is a new day in Ontario, a democratic deficit, and what we see is members already in this House, in two or three short weeks, getting up and reading a script provided by the Premier's office, the leader's office, providing direction to all of these backbenchers.

We've heard issues raised about question period, the lob balls being tossed to ministers so they can bat them out of the park. We are not in any way having a meaningful question period. I wouldn't mind seeing the NDP getting an additional question in the House. I think it would be helpful. I would encourage all the members opposite to step back and listen to the rhetoric they're hearing from the minister responsible for democratic reform. How is that actually occurring within their own caucus and in this House? You must have your own views with respect to how the government is approaching these issues. Let's see some free thinking in here. Let's see you standing on your feet, speaking from the heart, talking about what issues really impact your riding, how



this legislation is going to impact the people in your riding, the businesses in your riding, the nursing homes, the seniors, the small business people who are going to be negatively impacted by this legislation. There's a whole range of very, very serious issues which should be discussed in detail.

We've been raising issues. The NDP have been raising issues and concerns. You should take this opportunity to explain why what we're suggesting is not the case. That's your role, as I see it. We're talking about the dramatic impact in a negative sense that you're going to have on small business in the province of Ontario in the years to come with some of the initiatives encompassed in this bill. Get up and explain why that is not going to be the case; I don't think you can. That's why you're not doing it.

**Ms Martel:** In response to the comments made by the member from Pickering-Ajax-Uxbridge, I heard him say that this bill sets the stage for the recovery of public services. Well, I have to laugh. For goodness' sake, that presumes that the bill somehow is going to save the government some money for them to invest in public services. If you look at the tax breaks that have been eliminated, it's clear that very little government money went out in the first place. For example, if you look at the corporate tax cuts, cancelling that doesn't bring in any money, because those tax cuts weren't supposed to happen until 2004, 2005 and 2006. So you are not getting any money back because the money didn't go out in the first place. If you look at the cancellation of the private school tax credit, that's not going to bring you very much money, because it wasn't fully implemented by the former government—thank goodness—but it's certainly not going to give you any kind of money to make, for example, the investments that you've promised in education. Or again, cancelling what we've called the Frank Stronach tax credit isn't going to bring you one red cent, because that money didn't go out to seniors in the first place. So cancelling these isn't going to bring you any money to invest in public services; on the contrary.

The second problem this government has is not only do they not have money coming in from cancellation, but they've got a \$4-billion cut exercise that's now going on in the public service. Believe you me, cutting \$4-billion to try to deal with the deficit that the Liberals knew all about when they went out and made 231 promises is going to cause a lot of pain and suffering for the education system, for the health system, for social services agencies as well. So we're not doing anything here to restore public services. On the contrary, the cuts that are coming are going to destroy public services in this province.

**Mrs Maria Van Bommel (Lambton-Kent-Middlesex):** I'd like to comment on the issue of the education equity tax and seniors education property tax issues. It was spoken of by the other member. In my area, in Lambton-Kent-Middlesex, I have a very strong constituency of faith-based schools that have made their feelings known to me about the equity-in-education credit. I understand

very much their concerns about that. I do understand that they are families that are making great sacrifices to send their children to faith-based schools. I understand, as one of the other members mentioned earlier, what it was like as a member of the Catholic faith to have to pay two taxes to get our children into the school and for my parents to send me to those schools.

But I also understand that the previous government lumped in with this group—the faith-based schools—the private schools, and that's the real crux of the issue in my riding. We do not feel that it's fair to have all those people get the same credit. There are differences between the two types of schools. At this stage in the game—the member over here mentioned something about there being no tax savings. My understanding is that there is a \$165-million tax saving in having this education tax credit. I think that we can use that tax credit further to improve the school system that exists now. The current system is suffering greatly. We need to put our efforts into the current system before we can look forward to doing anything for other systems that we have, including the faith-based systems.

**Mr Murdoch:** Thank you again, Mr Speaker, to be able to speak on this topic. To the member who just spoke, you can show your independence in here. Don't let them put this through. You can vote against it. This is what this new democracy is all about. You don't have to vote for it. Or, for the third reading, put in an amendment that our faith-based schools get protection on this. Put an amendment in.

**Mr Kormos:** You can't. You put in a time allocation.

**Mr Murdoch:** You can put an amendment in, though. She can make an amendment and she can vote against it. Show your independence over there; don't listen to your Premier's office and read these speeches they give to you here all the time. Think about these things over there. Think about these things on the Liberal side. You've got to have some independence over there. Don't let them ramrod these things through. This is what they'll do. Your next bill will have ten more things in it and they'll want you to ram them through. They won't want you to think on your own.

Now, remember that the new minister is going to change some of this. Well, let's hope he will, because you people have to make sure that you—you can vote against this or make an amendment. Tell your leader you won't—or you can just sit out. You can walk out, if you like. Show you're independent. Show them you're not happy with this. But don't be afraid. They can't do anything. They already have you sitting over here in the rump, so don't worry, they can't send you anywhere else. Don't let them tell you what to do. Make sure you speak up. Then in caucus I expect you to tell them they're wrong. Tell them to take this out of this bill.

1720

It's a good thing for our faith schools. They need to be able to send their kids where they like. We tried—and it was a just a small thing—to give them support in their community, yet the Liberals come along and say they're going to take it out.



**Interjection:** Shame.

**Mr Murdoch:** Shame on them.

Our seniors: Stick up for our seniors. This government doesn't care about seniors. You've only been here not even two weeks and you're already dumping on seniors. You'll find out what you're doing when voting time comes.

So start thinking for yourselves over there, folks. Think for yourselves. Don't let the Premier's office tell you what to do.

**The Deputy Speaker:** The member for Pickering-Ajax-Uxbridge has two minutes to summarize.

**Mr Arthurs:** I listened with interest to the members opposite in particular. I assure you that my comments come forward as a result of having reviewed the available material. Certainly not all the information is there at this point, but it's not a scripted speech, for those who might be concerned.

I find it interesting that members opposite talk about independence and voting singly as you wish, when they fully well know, as we do, that there is a process here in this Legislature that deals with party solidarity and support of party members for a policy that has been articulated during an election process. That's what we're doing. That's what we're achieving here. That's what this bill is about.

We've heard the calls and comments. We need only look at our long-term-care facilities. We need only look at the recent media to understand what's been happening in Ontario and how we're going to work through improving that for all members, because that's what all members want to do. We need only look at the energy situation in the province to see that we need to address it in a different way, an effective way, to bring it back to a standard that we can have confidence and faith in.

There are issues that members across and others in the public will take exception to, but we set those out clearly during the campaign. We campaigned on them, and we'll act on them at this point in time.

I've enjoyed my opportunity to engage in this debate, to hear the comments from the opposite side and to have a chance to respond to those.

**The Acting Speaker:** Further debate?

**Mr Runciman:** Thank you very much, Mr Speaker, and I congratulate you on your appointment to the chair. I'm sure you'll do a fine job. I guess I should say "election to the chair," because there was a motion passed by the House.

I want to speak to the legislation, the largest tax hike in Ontario history, but I also want to briefly comment on the programming motion. As you would know, Mr Speaker, this is part of the programming motion, and because the member for Niagara Centre has taken some liberties with respect to his comments, I felt I should take this opportunity to talk a little bit about the programming motion and the efforts to try to improve the operation of this place.

I sat on the government benches for the past eight years, and I think that in many respects this place was

dysfunctional, especially for private members who wanted to believe they were playing an important role in this place. We saw that with private members' legislation, where we couldn't reach an agreement. We couldn't get important pieces of legislation or resolutions through the House because of impediments placed before it and lack of co-operation by the third party.

If you take a look at the report from the standing committee on the Legislative Assembly, which looked at enhancing the role of backbenchers in this place, one of the recommendations contained in that report was that we consider a programming motion, which has been used in Westminster. In fact, we have considered it. We're talking about a four-week session here and using this as a pilot to see if it can work to the benefit of all of us in this place in terms of guaranteeing times for debate, guaranteeing the appropriate times for committees to hear legislation and scheduling witnesses, and in fact so we can focus on the issues that are of importance to all sides of the House. Rather than debating matters like the appointment of the Deputy Speaker for hours and hours, why are we not talking about tax legislation; why are we not talking about energy legislation; why are we not talking about auto insurance?

That's certainly the thrust of this. It is a pilot, and I think it's worth trying because many, many people, not just in this place but at the federal level as well, are disillusioned with government, with politics and with the performance of the people they elect to office. I think we've exacerbated that feeling, that sense of frustration amongst the electorate by the way we've performed in this place over a number of years now. Hopefully, what we're doing in a very small way will move us in the direction of improving the perceptions amongst the public at large.

With respect to the legislation itself, the largest tax hike in Ontario history, this is not new to Liberals. I was around here during the Liberal tenure in government from 1985 to 1990 and this was commonplace with respect to the approach of the Liberal government of the day under David Peterson. There were 32 or 33 tax hikes in that five-year tenure. They came close to doubling spending within a five-year period, if you can believe that. I think when Frank Miller left office, we were spending about \$26 billion in the province. When Peterson left office in 1990, it was very close to the \$51-billion mark. They came close to actually doubling spending. Of course, we knew what happened to the business community. We were seeing jobs leaving the province; we were seeing investment leaving the province.

Another element of this is that we've heard a lot of holier-than-thou rhetoric over the past couple of weeks from the Liberal benches with respect to the deficit. I think all of us understood that there was going to be a significant deficit challenge facing whomever formed the government after October 2. We knew that. They knew that. Their Chair of Management Board indicated that it could be in the \$5-billion range. The Fraser Institute indicated it was \$4.6 billion. We knew there was going to



be a significant challenge. We were prepared to meet that challenge and keep our commitment to balance the budget, as we have done in the past four years successively.

I was reading some notes, cleaning out one of my offices a week ago or so, and I came across a clipping from that 1990 election. It was in the Kingston and the Islands riding, and the incumbent at the time was a fellow by the name of Ken Keyes. Some of you will remember Ken—

**Mr Tim Hudak (Erie-Lincoln):** Good man.

**Mr Runciman:** —a Liberal and still a good guy. But one of the things he was boasting about was the fact that the Liberals that fiscal year had balanced the budget. It was a modest figure, something like \$50 million or \$80 million. One of the primary planks in Mr Keyes's platform in the 1990 election was, "We've balanced the budget." When the books were opened, I guess it was in September when the NDP assumed office, they found out that in reality they were faced with a \$3.6-billion deficit. That's quite a stark contrast from a \$50-million surplus, when the Liberals were saying, going into that election and throughout the election campaign, that they had a balanced budget, in fact a modest surplus. That was a complete fabrication.

Yet we have the Liberals of today standing up with their holier-than-thou attitude and saying, "We didn't know we had a deficit," when there was certainly all kinds of information available that they were facing a deficit challenge. We admitted there was a deficit challenge and we were going to balance the budget, and we had outlined how we would balance that budget. We knew it was with significant challenges but, unlike the Liberals and the NDP, we have a track record of meeting those challenges.

What happened with the NDP when they formed the government: Regrettably, they tried to spend their way out of a deficit situation, to spend their way out of a recession. Of course, we know how that backfired. They doubled the debt in four and a half years in office, and we continue to pay the price for decisions made by the NDP government. But we're focused on this new Liberal government right now, and I don't want to detract from that focus.

1730

The reality is that we had a plan in place to meet the challenges of the deficit. We would have balanced the budget for the fifth consecutive year. There's no question about it.

The reality is the Liberals are using this in an attempt to demonize the former government. Now they're talking about a deficit beyond \$5.6 billion. They're not talking about meaningful measures to address this issue so that they could have a balanced budget.

We talked about a number of asset sales; that's part of it. We talked about the hiring freeze, which we put in place. There were a number of initiatives across the government which we were prepared to take to ensure that we balanced the books.

The Liberals are now talking about something beyond \$5.6 billion, and the reality is they're going to spend into that. That's what the plan is. I know the member from the NDP was talking about public services being short-changed. Well, that may happen, but what I suspect is really going to happen here is that they're going to spend into that. Instead of taking meaningful measures to address a shortfall, they're going to spend into that shortfall. They're going to make sure that they spend every dollar of that and then some, and then use the former government as the bad guy in this. That's the strategy here, folks. That's the strategy.

No meaningful effort to deal with this challenge, no meaningful effort in a responsible way. They're going to spend it up. They're going to spend it up, and at the end of the day they'll say, "Look, we had to deal with a \$6-billion or \$7-billion or \$8-billion deficit because it was left to us. It was at the doorstep."

Well, it wasn't left at the doorstep, unlike what the Liberals did to the NDP with a surprise deficit, which the NDP had to try and cope with, in a wrong-headed way at the end of the day. But that was a surprise to them, it was a surprise to the people in this place, it was a surprise to the voters of the day.

I simply want to remind people that when we start hearing these stories, come next spring when the Treasurer stands in his place to table his first budget and we hear stories, which I predict will be coming forward blaming the former government with respect to this, we have a responsibility on this side, obviously, to continue to press home that this is a bogus deficit.

If the government wants to address this and balance the budget, we believe they can do it. We believe that they can do it in such a way that they could have a surplus. We have outlined a plan, and I'll be glad to send the plan to any member of the Liberal government who is seriously and sincerely interested in looking at ways in which the budget can be balanced and we can have a surplus at the end of the fiscal year. We're already at the end of December without any meaningful action taken by this government, and that is truly shameful.

**The Acting Speaker:** Question and comments?

**Mr Kormos:** I was in that estimates committee in June 2003, just a few months ago. There's Janet Ecker; she's got the entourage, she's got the high-priced help surrounding her. There's Gerry Phillips; he's the Liberal finance critic. There's Howard Hampton, bang on, and Howard Hampton is saying, "But, Ms Ecker, you've got a \$5-billion deficit," and Gerry Phillips is saying, "But, Ms Ecker, we're at risk here to the tune of five billion."

And Ms Ecker is saying, "Both of you are wrong; there's no deficit." Zip, none, zero, not a penny, not a nickel, not a dime of deficit. Jerry Phillips is saying, "Yes, there is. There's a good five billion." Howard Hampton says, "At least five, maybe 5.6." And Ms Ecker says, "Not a penny in deficit." I was there.

Now, I've got a whole lot of time for the member from Leeds-Grenville. I remember him when he was young, 15 years ago. I was younger too, and I've got a lot of time



for him. When he speaks, by goodness, I listen, just like I listened today. I listened well enough to know that I can say, "Bob, you're wrong."

Ms Ecker insisted there was no deficit. Jerry Phillips insisted there was. The interesting thing is, Ms Ecker now, at least through her good friend and intimate colleague Mr Runciman, is saying, "There is a deficit," and Jerry Phillips is saying, "But back then, there wasn't." So you see, the whole world's been turned upside down. It's like that Alice in Wonderland stuff. You know, the Mad Hatter and those toxic fumes from hat-making?

All I know is, Ms Ecker now says, according to Mr Runciman, there was a deficit, when back then she said there wasn't, and Mr Phillips, for the Liberals, said back then there is a deficit and now he's saying we're only at risk.

Mr Runciman, if you really wanted to debate Bill 2, why did you move time allocation? Why did you support the time allocation bill? But two or three members of your caucus are going to be able to speak to this. You've destroyed your own caucus mates' right and ability to speak to this bill by supporting time allocation, Bob.

**Mr Kevin Daniel Flynn (Oakville):** It's a pleasure to join the debate again. We could pretend we don't have a deficit. It seems to me that some members of this House are asking us to do that. But the fact is that we did inherit a deficit. It's a deficit that we do have to deal with. It's a \$5.6-billion projected deficit. I suppose we could do nothing, as some people would ask us to, and that deficit would grow to \$7.7 billion next year and nearly \$8.6 billion in 2007.

We are prepared to act on this. We're taking a responsible approach to this. I read a lot about it in the media. But I'll tell you, when I talk to ordinary people on the streets about the way we're handling this problem, they agree that this is the way they would tackle the very same problem in their own families, in their own homes and in their own businesses.

We rescinded the private school tax credit. I find that's an extremely popular move in my community. We're also rescinding the seniors' education property tax credit. Not a peep from a single constituent. People in my riding are saying, "Deal with this in a responsible way; deal with this in a way that I would deal with it at home." You pay off your debts, you pay your bills on time, you get your financial house in order and then you start to do the things you promised you would do or the things you're obligated to do. I think this is a responsible approach. It includes a tobacco tax that has increased revenues for the government and provides the added advantage of keeping young people away from tobacco products. I think it's the way to go.

**Mr Hudak:** I enjoyed the comments of the member from Leeds-Grenville, my colleague and friend from Niagara Centre and the new member from Oakville. There are three points of view on this. I tend to agree that there's more wisdom in the member for Leeds-Grenville's views on this particular topic. We probably

aren't going to solve it today, but I can tell you one thing: I'm going to take issue with the member from Oakville's view about what they're saying on the streets of Oakville.

*Interjection.*

**Mr Hudak:** That very well may be. Maybe on the way back to beautiful Niagara, I'll stop in Oakville and ask that same question. I think that taxpayers aren't going for this notion that you pay a high-priced consultant to give a worst-possible scenario that if you get no revenue from the federal government, if the economy goes into recession, if you don't make one penny of savings, you get this manufactured \$5.6-billion deficit.

Do you know what the taxpayers are saying? They're saying, "That dog don't hunt. Get down to work. Roll up your sleeves. Start making some tough decisions." They're going to make this \$5.6-billion deficit self-fulfilling or worse, because they're going to shovel all kinds of spending under this umbrella, this manufactured deficit, and not make a single tough decision to try to control spending and to try to find a dime anywhere.

Mr Speaker, I think you know that this gang came into office approximately halfway through the fiscal year. All I've seen to date is whining and moaning—not one difficult decision from this Premier of the province. In fact, they're still in campaign mode. This is a triumph of politics over fiscal responsibility. All you want to do is make the last government look bad. You're not interested in balancing the books. You're not interested in finding a dime of savings. You're not interested in lowering taxes and trying to spur the economy. All you want to do is score cheap political points and not make any tough decisions.

Based on what I've seen in question period as well, there's no doubt. Taxpayers across Ontario, hold on to your pocketbooks. One big Liberal tax hike is on its way, maybe just in time for Christmas.

**Ms Martel:** It's so good to see the real Bob Runciman back. It's been a while since we've had a chance to really hear what he's had to say, because you see, Speaker, when he was in government he had to be a little more moderate—I don't mean philosophical—in terms of his behaviour. He had to be a little more even-tempered. Now that he's been able to throw off the handlers, because they're not in government any more, it's great to have the real one back. I look forward to more speeches by Mr Runciman.

1740

Look, I don't have the comments that were made by Madame Ecker—I wish I did—from that estimate committee. It would be great to read into the record her comments regarding the fact that, "Oh, no, there was no deficit whatsoever; there's not going to be a problem at all." But my colleague from Niagara Centre was there, so you know exactly what she said.

**Mr Kormos:** Your husband was there too.

**Ms Martel:** Yes, my husband was there too; that's right. But you're the one who just made the comment.

Let me tell you what Gerry Phillips said, because it is a little bit difficult to take this feigned surprise on the part



of the Liberals: "My God, we didn't know we had that kind of a deficit. It was such a surprise to us."

The finance critic, a long-time member of this Legislature—I suppose he's down there on behalf of his leader. He should be. That's how you get to be critic, especially for finance, an important critic portfolio. He was down there on June 4 and he said this to Madame Ecker: "I therefore take it that there is a \$5-billion risk in the budget. That is a fact, with the \$2.2-billion asset sales that you've refused to identify." And he goes on. So he knew very well that there was a \$5-billion deficit. So did his colleague Monte Kwinter, who told the Canadian Press on August 13 that there was a deficit as high as \$5 billion. Don't be surprised. You guys knew. Don't pretend now.

**The Deputy Speaker:** The member from Leeds-Grenville has two minutes in summary.

**Mr Runciman:** I thank the members for their responses.

There are a couple of things I want to talk about. I know we talked about the finance committee hearings and Mr Hampton explaining that there was going to be a significant deficit. You know, the reality is that if Ms Ecker responded—and I haven't seen Hansard—in my view, what she was saying was that there would not be a deficit at the end of the fiscal year. There would not have been a deficit at the end of the fiscal year if we had formed the government. We're committed to balancing the books, and we had a plan to balance the books.

After the SARS impact on Ontario, we had implemented initial changes in, I think, July and August to try and cope with what we knew were going to be increasing pressures. So that's part of the reality. We would have balanced the budget, and Ms Ecker knew that we were committed to doing that just as we had in the four previous fiscal years.

One of the areas I'm really concerned about—it's good to see the Minister of Economic Development in here. He was asked a question a couple of weeks ago about the impact with respect to some of the tax changes incorporated in this legislation. His defence was that we're still going to be very competitive.

I think it's Jack Mintz who released a paper recently showing that when you take all of the tax burdens into consideration, we are going to be the least competitive with respect to, I think, five of the jurisdictions that we have to effectively compete with. That should be a serious concern to the Minister of Economic Development and Trade, the impact that this is going to have on small businesses. We know that it's going to be serious.

The reality is, of course, that they're hoping that it won't. They're hoping that if any impact does occur, it's not going to show up and have a real impact until four to five years down the road. But I think we're going to see it sooner than that, and it's going to be very damaging to the future of this province.

**The Deputy Speaker:** Further debate?

**Mr Shafiq Qaadri (Etobicoke North):** Speaker, my honourable colleagues in the House, there are a number

of aspects I'd like to touch upon with regard to this financial bill, Bill 2.

First of all I think I'd like to let it be known that this is really the financial plank in the government's plan to lay the foundation for excellence in education, improving our health care system, building a stronger community and laying the foundation for the future prosperity of Ontario.

I would, with your permission and indulgence, like to just address my remarks to some of the foregoing commentary, particularly to some of the comments made by the MPP from Leeds-Grenville. He said that he's disappointed with how this place has been run, and I would like to let it be known officially for the record that we share that disappointment. That is why we in the Liberal Party, in the Liberal government under the new Premier of Ontario, hope and seek to run this place in a more efficient, more democratic way to better address the needs of Ontarians.

I would also like to say that the MPP for Leeds-Grenville—perhaps his mind is a bit fuzzy. I understand that he's trying to acquire a facility in our second official language, French, for a possible future job application that he may be having. At one point he admitted that there was a budget deficit, and then in the very concluding statement said that there was a bogus deficit. I would very strongly suggest that our honourable colleagues in the Tory party straighten out their perspective on whether there is or is not a deficit and whether they will continue to deny its existence. I suspect that this is part of the Enron economics or, if I may coin a new phrase, "Eves-nomics," in the sense that they seem to be misrepresenting the facts, especially when there has been a very clear attestation to the fact that there's a deep and very huge budget deficit, \$5.6 billion, as has been mentioned.

I would also like to commend the honourable MPP for Niagara Centre for his reference to Lewis Carroll and Alice in Wonderland. I think that he himself seems to be playing the role of Alice, and seems to be undergoing a kind of mock bewilderment and having some perceptual difficulties, as well as using his own vocabulary to mean whatever it means.

I'm also honoured to hear at least one member of the Tory party, the MPP for Erie-Lincoln, Tim Hudak, actually speak in this chamber on record, favouring and speaking pro the consultants, which the Tory party actually raised. I would like it to be known to the people of Ontario that that administration, the previous government actually spent something on the order of \$600 million of Ontario taxpayers' money for their friends and colleagues in various public relations houses and various major consultancies. I would like to put them on notice that that too is going to be done away with, and we're very shortly considering removing the fact that we will be spending, as the Tory Party did in the previous administration, \$400 million on partisan advertising.

There are a number of planks with regard to Bill 2. I would like to speak very specifically, as a physician and also as the representative of the great riding of Etobicoke North, to something that I deal with on a daily basis; that

is, the disease and the pathology and the suffering that accrue to Ontarians and Canadians broadly with regard to tobacco and the inhalation of various tars, nicotine and so on. A tragedy that really is befalling Ontario youth is the fact that ever-increasing numbers of our young people seem to be taking up regular smoking habits in greater and greater frequency. I feel that the rise of the tobacco tax will be a very excellent move to actually address this. We know, for example, that young people may not have the elasticity, to use the economic term, with regard to absorbing that particular type of price increase. As well, to mention the actual numbers that are involved, we're looking at raising something on the order of \$700 million by raising the tobacco tax by \$2.50 per carton of 200 cigarettes.

Something that I can speak to very directly, again as a physician, and someone who deals with a lot of respiratory medicine, is that tobacco, unfortunately for doctors, is considered a universal evil. It's tied to everything, such as peripheral vascular disease, meaning cutting off circulation to the legs; of course lungs diseases—aggravation of asthma, both first- and second-hand. Unfortunately, I say to my colleagues in this chamber, tobacco smoke still accounts for something on the order of 20,000 new cases of lung cancer diagnosed per year. Our own Ministry of Health and Long-Term Care advises me that tobacco is directly tied to approximately \$1 billion in hard costs annually in Ontario alone. To quote from our own election platform of the Liberal Party, "Nothing prevents people from smoking better than increasing the costs of cigarettes. Ontario's cigarettes are still cheaper than almost every other province. We will make cigarettes more expensive to prevent kids"—and others—"from lighting up."

I would like to say that there's been a great deal of mention of supposed tax increases. This has a specific

exemption from the Taxpayer Protection Act legislation commitment that our then-leader, and now Premier, Dalton McGuinty signed.

Having said that, I would like to also mention for the House, for the chamber and for the people of Ontario that our move to increase the tobacco tax actually brings it in line with the general pricing of tobacco across Canada, with the national average. It's really just a matter of achieving price parity.

There are a number of aspects that I've attempted to address: first of all, some of the fuzzy economics, the fuzzy thinking that seems to be going on from the Tory party; as well, some commentary about the continued theatrics—I've now dubbed the MPP from Niagara Centre as the official Alice in Wonderland, as he began the reference to Lewis Carroll. I advise him to maybe check the perceptual difficulties that he, like Alice, seems to be suffering from.

**The Deputy Speaker:** It being 10 minutes to 6, pursuant to the order of the House dated December 4, 2003, I'm now required to put the question.

Mr Sorbara has moved second reading of Bill 2, An Act respecting fiscal responsibility.

Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it. The motion is carried.

Pursuant to the order of the House dated December 4, 2003, this bill stands referred to the standing committee on finance and economic affairs.

It being near 6 of the clock, this House is adjourned until 6:45 of the clock.

*The House adjourned at 1751.*

*Evening meeting reported in volume B.*



# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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**Legislative Assembly  
of Ontario**First Session, 38<sup>th</sup> Parliament**Assemblée législative  
de l'Ontario**Première session, 38<sup>e</sup> législature**Official Report  
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Honourable Alvin CurlingPrésident  
L'honorable Alvin CurlingClerk  
Claude L. DesRosiersGreffier  
Claude L. DesRosiers



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 8 December 2003

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 8 décembre 2003

*The House met at 1845.*

## ORDERS OF THE DAY

### ONTARIO ENERGY BOARD AMENDMENT ACT (ELECTRICITY PRICING), 2003

### LOI DE 2003 MODIFIANT LA LOI SUR LA COMMISSION DE L'ÉNERGIE DE L'ONTARIO (ÉTABLISSEMENT DU COÛT DE L'ÉLECTRICITÉ)

Resuming the debate adjourned on December 1, 2003, on the motion for second reading of Bill 4, An Act to amend the Ontario Energy Board Act, 1998 with respect to electricity pricing / Projet de loi 4, Loi modifiant la Loi de 1998 sur la Commission de l'énergie de l'Ontario à l'égard de l'établissement du coût de l'électricité.

**Mr John Yakubuski (Renfrew-Nipissing-Pembroke):** I'd like to continue to speak on Bill 4, An Act to amend the Ontario Energy Board Act, 1998 with respect to electricity pricing. This bill calls for the increase of electricity rates in Ontario from 4.3 cents to up to 5.5 cents. There is a provision for those using 750 kilowatt hours or less per month to have their electricity rate charged at 4.7 cents per kilowatt hour. In order to qualify for that, you'd have to live in a telephone booth, with no heat and no electric water heater. It's only a very small portion of the population who are going to qualify for the 4.7 cents per kilowatt hour.

What we're looking at here is 5.5 cents, which is in excess of a 25% increase in the cost of electricity to power users in the province of Ontario. Twenty-five per cent is quite a hike, and it's of great concern for me with regard to residents in Renfrew-Nipissing-Pembroke, seniors living in their own homes, who were encouraged to stay in their own homes by a property tax rebate with respect to the education portion of their property taxes when our party was in government.

Now this government, in addition to taking away that property tax rebate, is further hitting these people with a 25% increase in their electricity costs. I'm just thinking that sooner or later it's going to hit the breaking point for them. One senior in my riding said to me last weekend after the Santa Claus parade in Pembroke—and certainly he doesn't view the Premier or the energy minister as Santa Claus this year—"John, by the time McGuinty's

through with me, I'll have nothing but lint left in my pocket." That's where we're going with this government and this bill.

It's not enough that you'll see your taxes going up in the new year; people who have their children in private schools have lost that credit to keep their children there, and most who send their children to those schools have a religious reason for doing so. What we've got here is another tax, but more importantly, another broken promise. Yes, we've heard it over and over again: a broken promise. This new government campaigned on the promise of maintaining a 4.3-cent per kilowatt hour hydro rate through 2006.

**Mr Ted Chudleigh (Halton):** A Liberal promise.

**Mr Yakubuski:** It was a Liberal promise. Thank you very much, the honourable member for Halton. It's just another in the litany of broken Liberal promises.

On top of all those, we've got the broken promise on tax hikes. I was reading an article this weekend in the Ottawa Citizen, where the Premier was talking about how he cannot guarantee that we will have a secure supply of energy through the cold winter months. Yet 1,400 new megawatts have come on-line since last winter, but this government insists that it is going to shut down almost 8,900 megawatts of power by 2007, which is of course our coal-fired generational capacity in Ontario.

1850

Where are this Premier and this minister going to get the supply if they shut down those coal-fired plants? They're continuing to promote that line, hand that line, to the people of Ontario. That's another broken promise that's coming down the road, but they want to give them this one in the spring, I'm sure.

What this government says to me is that this government doesn't know where it's going on energy policy; it doesn't know where it's going on hydro policy. It's a stop-gap measure to try to convince the electorate they're actually doing something when they really don't even know where to start because they don't know where they're coming from. The only place they ever got an energy policy before was copying what we did the next day, reiterating that and saying, "Yes, we support that," just like they did on all the changes in the energy act that this government did prior to 2003.

**Mr Rosario Marchese (Trinity-Spadina):** I just wonder whether the member from Renfrew-Nipissing-Pembroke spoke to the issue of time allocation at all. I missed your other eight minutes from another day's debate and wondered whether you had spoken to it. I



would want your comment on it, because when the Liberals were there and we were here, we always attacked the Conservative government for all the time allocation motions they introduced because we essentially thought it was a bad thing to do.

Jim Bradley, the now Minister of Tourism, would never lose an opportunity, ever, to rush into this House from wherever he was—and if he wasn't here, he was watching television and he would decry and denounce every time an allocation motion was introduced by the Conservative government—and accuse them, rightly, each and every time of curtailing, strangulating—that's my word—debate, because we were never given the opportunity to have the full length of the debate that was necessary to engage the government in terms of whatever it was doing.

This is a time allocation motion. Their programming motion has meant that they've been able to lump together three bills and two motions and one other piece of governmental affair in a way that we have never seen before. While they, the Liberals, used to chide you for all the time allocation motions you would introduce, approximately 45 in the first term, the Liberals in their first opportunity, by a mere couple of weeks in this place, had introduced a so-called euphemism for time allocation motion, a programming motion, that curtails debate in this place. Shamefully they do it, and they do it unabashedly. I wonder if the member could comment on that.

**The Acting Speaker (Mr Joseph N. Tascona):** Questions and comments.

**Mr Pat Hoy (Chatham-Kent Essex):** I'm pleased to rise to make a few comments on the speech of the member opposite here in the House tonight.

I think it's important for Ontarians to know and understand that the increase in the hydro rates will not take effect until April 1, 2004. We're giving people ample opportunity to plan ahead for that increase. The first 750 kilowatt hours consumed in any month would be priced at 4.7 cents per kilowatt hour, and a great number of homes will be under that 750 kilowatt hour threshold. So consumers need to understand that, and if they use more than that, they would be paying 5.5 cents per kilowatt hour. There are approximately 60% of Ontario households using less than 1,000 kilowatt hours per month, and since the proposed plan would not take effect until April of next year, consumers will have a chance to take conservation measures within their own home, reduce their consumption levels and limit the impact of any price on their electricity bill.

I know I've met many persons who have said they are going to do this exact thing. It's not so much that there's an increase from 4.3 cents to 4.7 cents. It's not that increase that brings it to their mind. They want to conserve. They understand that there's a duty to assist in ensuring that we have a reliable and predictable source of electric power here in Ontario. They're not doing it so much because of that 0.4-cent increase per kilowatt hour; they're doing it because they're good citizens of Ontario

and recognize the mess that was left to this government to deal with.

**Mr Garfield Dunlop (Simcoe North):** Thank you very much, Mr Speaker, and it's great to see you in the Chair. I hope you have time to speak later on.

I'm very happy to be here this evening to support my colleague, from Renfrew-Nipissing-Pembroke on his speech on Bill 4. It's very interesting to hear some of the comments he brought out. I sincerely believe that he's on the right track as far as job creation and the impact on the economy. But I'd like to comment just for a moment on the comments from the member from Chatham-Kent Essex. He talked about why we are delaying it. It's interesting that the legislation is being delayed and won't take effect until—

**Mr Chudleigh:** The spring.

**Mr Dunlop:** The spring. Why would that be? Quite clearly, that's the time we'll consume the most. This government has no intention of trying to lower the deficit. In fact, they'd actually like to see it expand as much as possible. The fact of the matter is, if you were serious about it, it would come into effect January 1. That way you'd be able to lower the extra money you'll pay on the deficit because that's the time of year when you use the most power and the most energy. They're not serious about it. In fact, they've never been serious from day one about this so-called artificial deficit created by the so-called provincial consultant/auditor. I find it very confusing, the fact that they would leave it to that point. On top of that, after listening to the high-priced consultant, they've got this \$5.8-billion deficit; they still have four months to actually resolve the problem.

Anyhow, my time is coming to an end, but I do want to thank the member for his comments and congratulate him on his efforts.

**Mr Michael Prue (Beaches-East York):** I rise to comment on the speech from the member from Renfrew-Nipissing-Pembroke. I had the opportunity of coming to this Legislature about two weeks before the honourable Mike Harris decided to resign. I came here and I watched what he had done over the years previous to that. He had attacked, first of all, those on welfare and the poor. Then he turned his attack to the teachers. Then he turned to his attack to the unions. Then he turned his attack to the doctors. Then he turned his attack to those whom he called the professional whiners. But I want to tell you, the very finest attack he did of the lot was when he turned around and attacked his own party. He hoisted them on his own petard and he left them the legacy of privatization. Because on that legacy of privatization, he had done what no one else was able to do until that time: he caused them such enormous grief that they never recovered from it. In fact, in that privatization, they decided, first of all, to sell off the electricity system. Then they decided they were only going to sell off half of the electricity system. Then they decided they were going to have a rate price cap when everything seemed to be falling apart. In the process, they turned a once proud corporation, started by Sir Adam Beck more than 100 years ago, into a bumbling

morass. And in the process they did themselves, I think, irreparable harm.

The party opposite today is attempting to do something. I'm not sure that what they're attempting to do will be enough, because I think they're falling into many of the same pitfalls as the previous government. You have not erased the idea of privatization and—although you're kinder and gentler, I must admit—you have not done what is necessary. You are going to continue on the same failed policy of attempting caps, although they're at a higher rate, and they too will be doomed to failure.

1900

**The Acting Speaker:** Response?

**Mr Yakabuski:** I'd like to thank the members from Trinity-Spadina, Chatham-Kent Essex and Beaches-East York, and my colleague from Simcoe North for his comments on the bill and on my address. My colleague from Simcoe North I must say is certainly one of the hardest-working members I've encountered since my time here. My colleague from Trinity-Spadina talked about time allocation. I'm not sure that that was the bill we were talking about, but I really wasn't catching on to his drift there.

Back to the hydro bill: We talked about home owners. I'm concerned about the effect on small business and farmers in the province of Ontario, in particular in my riding of Renfrew-Nipissing-Pembroke. I'm concerned about the effect it is going to have on them, a 25% increase in their hydro rates, starting April 1. It's just a sleight of hand and a ruse that's being perpetrated on the people to hold this increase throughout the wintertime. They'll pass the bill before we go on recess. By the time we get back, or the rate increase starts affecting them after April 1, we'll be gone on the summer recess. They'll be hiding from the people of Ontario again when the effects of this are truly felt in the summertime, when the air conditioning bills start coming in.

This is going to drive jobs out of Ontario, out of my riding. It's going to hurt business. It's going to hurt farmers. It's just another tax increase on the people of the province. It is just one more in what has already been, and promises to be, a continuing long line of broken Liberal promises.

**The Acting Speaker:** Further debate.

**Mr Marchese:** I'm happy to have this opportunity to say a couple of things. Welcome, the citizens of Ontario watching this political program. I know there are a lot of you. We're on live. It's 7:03 and we're here for a while, so stay tuned.

First of all I want to attack the fact that this is a time allocation motion and would remind the Liberals of this: The Liberals started changing the rules back when they were in power, from 1985 to 1987 and 1987 to 1990. The New Democrats continued changing the rules in 1990 because we felt nobody in the opposition benches—Tories or Liberals—would allow us to govern. They hated the fact that they had a New Democratic government for the very first time, so they were using all sorts of measures to slow us down. We changed the rules.

The Tories came in and they changed the rules again. I say to my friend from Don Valley West that each and every time we all thought, in government, that we had learned our lesson, it was a mistake. When we did it, it was a mistake. When the Liberals did it before us, it was a mistake. When the Tories did it, it was a serious mistake. Now the Liberals are doing it as well, over and over again.

The member from Don Valley West is new, so she doesn't much appreciate what I am saying. I can understand that.

*Interjection.*

**Mr Marchese:** You do?

**Ms Kathleen O. Wynne (Don Valley West):** There must be a reason. Search your soul. Why does it happen?

**Mr Marchese:** Search the soul. Why does it happen? Each and every time we change the rules—it was a terrible thing—it got worse and worse. The member from Don Valley West, who hasn't yet had the opportunity to search her soul, doesn't quite understand that when she does have the opportunity and the time to ruminate on the matter, ponder it seriously or look inside her soul, she will understand that each time governments change the rules, it makes it harder and harder in this place to govern efficiently and to do things efficiently and oftentimes effectively. So when she says, "Search your soul and just think about why we're doing it," I know why you're doing it. I know why we did it, and I'm saying to you, rumpfolk, you're making another mistake. What's more tragic, beyond the rump here in the middle, is that the more experienced members across the way who ought to know better still haven't had the opportunity to search their souls.

When the member from Hamilton East was here, and the member from Ancaster-Dundas-Flamorous-Aldershot was there, and Jim Bradley, the now Minister of Tourism, was there—experienced people—and others I have not mentioned—but feel included in the criticism—you were all there, each and every time, attacking the Conservative government for strangulating debate. And it was wrong then, wasn't it? Why would it be less wrong now, when you're doing it? If you could decry it, attack it, diminish it, dismiss it then as an effort by the government to curtail, strangle debate; if you could understand it then, why—

**Ms Caroline Di Cocco (Sarnia-Lambton):** On a point of order, Mr Speaker: I believe we're discussing Bill 4, the energy bill, and I believe that the member is not speaking to the bill.

**The Acting Speaker:** Member from Trinity-Spadina.

**Mr Marchese:** I thank her for being around and for her programmed response to the programming motion, under which we are here debating Bill 4. I wanted to discuss for a full five minutes why it's wrong to do what you're doing, why it was wrong when you were there and why it's more profoundly wrong when you are now in the government benches. If you understood it then, how could you so easily forget and misunderstand it now? It's just sad, sad, sad, pitiful, pitiful politics. It's no wonder



we have a hard time convincing people out there that maybe each successive government that comes in might be a little better than the one they threw out. Maybe.

But I don't see it, and let me tell you why. When we talk about broken promises, what do promises mean when people make them? They mean that the listener, listening and voting for that government, actually believes that they're going to carry them through. Why wouldn't they? Witness the statements of the now Premier, then leader of the Liberal Party, who—

**Ms Di Cocco:** On a point of order, Mr Speaker: I would ask that you remind the member that we are speaking to a bill. I know that he has a lot of important issues that he wants to discuss, but in this House when we have a bill before us, I think it's precedent to speak to the bill.

**The Acting Speaker:** I would just remind the member that we are speaking on Bill 4, An Act to amend the Ontario Energy Board Act, 1998.

**Mr Marchese:** Speaker, thank you.

McGuinty quotes to remember, Madam from Sarnia: I think the "most important thing to do at this particular point ... is to put a cap on those rates through to 2006." Madame Di Cocco from Sarnia remembers those words well.

**Mr Prue:** Sarnia-Lambton.

**Mr Marchese:** Sarnia-Lambton, thank you. It's close.

Dalton McGuinty, Focus Ontario, November 23, 2002: We will "keep the price cap in place until 2006."

"Hydro You Can Trust": the Ontario Liberal Plan for hydro, released September 2003. It's somewhere in the plan.

And McGuinty continues. There are a few quotes, Speaker, on Bill 4. "The Liberals, meanwhile, front-runners in the polls, vow to maintain the rate cap at 4.3 cents per kilowatt hour until 2006—the same time line the Tories have promised."

1910

Broadcast News, September 29, 2003: "Dalton McGuinty says a Liberal government would build additional hydroelectric generating plants ... McGuinty also said he would keep a rate cap in place until 2006 and keep hydro in public hands."

Canadian Press, September 8, 2003: "Liberal leader Dalton McGuinty said his party would keep hydro in public hands."

McGuinty said, "The 4.3-cent-a-kilowatt hour freeze on rates will go sometime after 2006...."

"It's going to add to the hydro debt, and if there was another way around it, I would be delighted to entertain it"—poor man. "It's going to have to come out of rates. It's going to be like a mortgage and we will have to pay it a little longer." I'm exhausted.

There's more: "This is a quick fix, a transparent attempt to buy votes, to buy favour with our own money," said Dalton McGuinty in the Ottawa Citizen, November 15, 2002, in reference to the Tory hydro rate cap.

McGuinty wouldn't conceive of doing anything such as "a quick fix, a transparent attempt to buy votes, to buy

favour with our own money." Oh, no. He understood well why the Tories were doing it. No one is excusing the Tories for putting on the rate cap—no one. We attacked it because it was very good politics. Before the election it was a very good—

**Interjection:** Clever.

**Mr Marchese:** —very clever thing to do. They thought, "Ha, it's OK if we put \$700 million or \$800 million off the books. Nobody's going to see it." The taxpayer would be on the hook in the end, but that's irrelevant. "Before the election we can put on the rate cap, because that's OK." It was evil, but you people and your leader said that was OK and would be kept until 2006, not a day less. A mere couple of weeks into your government you abandoned that. You said, "We didn't know there was a deficit." Gerry Phillips says there was "a risk of a \$5-billion—"

**Interjections.**

**Mr Marchese:** Quiet down. You're going to have two minutes soon.

It was a mere \$5-billion risk. What's a risk if it's not a deficit? What's a deficit if it's not a risk? Gerry, you knew it then. McGuinty, you knew it then. You didn't keep your promise. Why not?

**The Acting Speaker:** Questions and comments.

**Hon Mary Anne V. Chambers (Minister of Training, Colleges and Universities):** I rise to say a few words about the energy bill, Bill 4, and the fact that there are times when we have to make tough decisions, and as a government we have the responsibility to define when those times exist.

Interestingly enough, during my campaign there were people who said to me, "We're not sure the commitment you have made on that cap is the right thing to do." Certainly we thought it was viable. I think it's also important that when you discover things have changed, circumstances are different, it takes a very big person, a very big party, a very big government to recognize we need to make a change in what we previously committed to.

Basically, what we are saying is that we're not going to subject future generations to what has been going on over the past several years, because what was going on over the past several years was irresponsible. What we are trying to do with this bill and all the subsequent actions we'll be taking as a responsible government is to manage wisely. I think that's what Ontarians expect of us, and that's what we're going to be doing. It's not going to be easy all the time, but leadership is not easy at all times. We do have difficult decisions to make, and we do have challenges to face. It's really important for the people of Ontario to know that they have a government that's prepared to step up to these challenges.

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** I'm pleased to be able to make a few comments on the speech the member just gave. It's amazing how easily the NDP forgets. I'd like to remind them, and I know it's tough to do—short-term memory—but five years and we had \$10

billion each year. They left a \$50-billion debt, and now they're out there complaining.

**Interjection:** An economic lecture from the NDP.

**Mr Murdoch:** You're right. It's amazing to get an economic lecture from the NDP here tonight.

Earlier today I remember them talking about the Conservatives helping out the Liberals. I remember when the NDP and the Liberals got in bed together. It was called the bed-wetters' accord—do you remember that, with Peterson? It started this whole mess, the whole spiral downward. Do you remember that time? Peterson and Bob Rae got in bed together, the two of them. They were in this House, and they started the spiral downward. Remember that? Then they let the NDP come in, and they said, "Heck, we've already started spending money. Peterson has been here for three years and he ran a big deficit." He said he didn't have one, of course. Maybe he didn't have Gerry Phillips helping him out then. They left the NDP here, and they had \$10 billion a year.

So now we're into another broken promise. I'm just amazed that the member over there said, "We changed our minds partway through," or something like that. I didn't see the ads change. All I remember is that ad with Dalton McGuinty looking out through the television set saying, "I will not raise your taxes." What happened? Somebody must have taken that picture of him when he wasn't thinking too brightly. "I will not raise your taxes." Then they get here and start breaking promises: "Holy cow, we've got to raise taxes."

Then they've got this bogus deficit—the year is only half done. They hire a high-priced researcher to go out and look at it. They weren't going to do that, but they did it—another broken promise.

**Mr Prue:** It's always a pleasure to rise and comment on the speeches of my colleague from Trinity-Spadina. He is always eloquent, always poignant and most often, although not today, extremely humorous when he speaks.

What he talked about today were a number of home truths, a number of things the people of this province have come to know and come to rely on and come to consider absolutely true.

It is a home truth that we are here tonight debating this in a truncated format because we have been programmed. As little as the members opposite might not want to talk about that, that is a form of closure, a brand new form in this House, and it's worse because it's an omnibus program closure. It's something that's never been done before in this province and that I hope is never done again.

**Mr Marchese:** A programming motion is very new.

**Mr Prue:** It's very, very new and very-

**Interjection:** It was in 1889.

**Mr Prue:** OK. They're going back to 1889 trying to search for some solutions. That is a home truth. That is absolutely what is happening here tonight.

The second home truth is that this government ran on a platform of doing one thing and then is doing another. They promised that the rate cap would stay till 2006, and

at their very first opportunity, for whatever reason, they lifted that rate cap—a broken promise.

Another home truth is that the hydro policy they are espousing today is virtually identical to the hydro policy of the government they are replacing. It is almost impossible to see the difference between the hydro policy of the new Liberal government vis-à-vis the policy of the old Conservative government. It is floundering from place to place. There is no commitment to whether they're going to build nuclear facilities or not build them, whether they're going to have a rate cap that floats or moves over time or they're not going to have it. I would suggest that the home truths of the member for Trinity-Spadina are exactly right.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I listened carefully to the comments delivered by the member for Trinity-Spadina. Let me tell you, I was in a similar position to what he is in at the present time. I've been listening to the debate, I've looked at the OPG report that was tabled last week and I also met with people in my riding after I fought very strongly to have a cap on hydro. But the people are telling me, "Are you the man who misinformed us, or was it the government?" The people ask me that. After looking at the whole situation—after the blackout we had on August 20, the following day we paid up to 53 cents per kilowatt hour for what we had to buy. Looking at this last month, in October, we paid 5.90 cents per kilowatt hour during the month. Every day of the week we're going in the red by two million dollars a day.

**1920**

I did receive a letter from a hydro commission and I'm just going to read part of a paragraph:

"Local distribution companies, including Hydro Hawkesbury Inc, have been under tremendous financial pressure due to the electricity rate cap instituted in November 2002. In preparation for the opening of the electricity market in May 2002, distribution companies were directed by the government and our regulator, the Ontario Energy Board, to spend \$650 million on changes to the billing and settlement systems that allow the market to operate."

All the time we were told by the former government that we were realizing profits of over \$200 million a month. This is why I fought for those people.

**The Acting Speaker:** Response, the member from Trinity-Spadina.

**Mr Marchese:** I thank both friends and foes.

To the member for Bruce-Grey-Owen Sound, who mocks the NDP and said, "Ha, look what deficit you left us," which was in the order of \$9 billion or so, if the NDP could accumulate such a deficit in a recession, how quickly they forget how worse it can be, that in a good economy they can leave us close to \$6 billion in deficit. Imagine that if they could do that in a good economy, what they would have done in a deficit where welfare payments went from one billion to six billion bucks. Please, Bill, you shouldn't remind anyone about your legacy. You tire me out.



The member for Scarborough East says it takes a big person, a big party, to make a change and that leadership is not easy. Sorry member for Scarborough East, leadership would have been for your leader to have said, prior to the election "The rate cap is wrong." That would have been leadership—before the election, not after the election. How easy it is for you to assume the cloak of responsibility. "These are the cards we have been dealt. What else can we do?" Leadership would have been for you and McGuinty, prior to the election, to say, "The rate cap is profoundly wrong and it's costing us \$700 million to \$800 million and it will grow." You didn't have McGuinty saying that then. What you had him say was, "It's an attempt to bribe us with our own money," and he was right.

*Interjection.*

**Mr Marchese:** The member for Bruce-Grey-Owen Sound, please, you're still too loud for my taste.

Leadership is doing it before the election, not after. You broke a promise that was important to the people of Ontario. How you can live with that is beyond me.

**The Acting Speaker:** Further debate?

**Ms Di Cocco:** Thank you, Speaker, and congratulations on your new duties. I look forward to the next four years of this. I want to congratulate you.

First of all, I'd like to say to the members from the NDP, and particularly the member for Trinity-Spadina, that when I listen to your comments regarding this bill, I wonder sometimes if in debating there had been just a little bit less theatrics and a little more substantive argument, maybe it would have been a little easier to go to the polls on October 2. One of the problems I think we find in the world of politics is that we have an awful lot of theatrics. At the very root of what responsible government is all about—and I say this because the Minister of Training, Colleges and Universities articulated it very well—you have to make an analysis based on the evidence and the facts before you, and then you make the judgement. You do that, and when you know it's the responsible and the right thing to do, then you proceed when you do have the position of decision-making. Even though it's probably less expedient politically, but you know it's the right thing to do, then you do it. The whole electricity file is incredibly complex and it's been a tremendous debacle in this province.

We had ideologies for the last 13 years, one to the left that, when encountered by all of their fiscal issues, threw away their ideologies and decided to go a different route. Considering the circumstances, they thought that was the way they should go. Then we had the Conservatives come into power and they had one idea in mind: Privatization will take care of all the problems that we're going to encounter. That's what they did to the electricity file. They saw the deep-rooted problems that were there. In 1995, even though we knew we were producing electricity at a greater cost, Mike Harris decided to keep the cap on. They decided to keep selling electricity far below what it cost to generate it, so we ended up increasing that debt.

But they did something else. In 1997 they decided to put on a cloak of secrecy and remove Ontario Hydro from freedom of information so no one could really access the information. This was apparently in preparation for privatization. To make matters worse, under this cloak of secrecy, all types of appointments were made, many appointments. It became a bit of a Senate. I say that because there was no accountability, but lots of money flowed to individuals. We remember Clitheroe and the huge yacht, and I can go on and on. We ratcheted up these huge bills, millions of dollars, and do you know what? No one was looking after the consumer, the person who has to pay their bills. Every single day, all the ordinary person wants to do is make life better for their kids and their families—individuals who go out to work every day and small businesses who are trying to create wealth in this economy. And what happened? We had a government that was out of control and this huge, huge entity called OPG that, as we see, was out of control as well.

We have a responsibility. The people of Ontario entrusted Dalton McGuinty and the Ontario Liberals with governing this province. We take a look at what we have before us, and what do we see? We see that we have to spend \$2 million per day to keep our lights on. If we keep doing that—and we could. It could be very politically expedient to do that. "Let's just paper over the problem." But we said no, we can't that because it's not right. We have to find a way to be able to gradually bring the rate of cost up to what it costs to generate electricity because we cannot keep doing this. Our children and our grandchildren will not thank us for it. Somebody is going to have to pay the price at some point in time, so we have to deal with it. We have to try and deal with it in a responsible way.

Let's stop this sort of fudging the numbers because we don't want to tell the public the real story, because if we tell them the real story we're not going to look very good politically. That was, unfortunately, the style of the governing Conservatives of the day. It was all about image. It was all about messaging. It wasn't about reality. It wasn't about dealing with the hard truth, that we were sinking into a bigger and bigger hole when it comes to our electricity.

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What have we tried to do? We have said that starting April 1, 2004, the first 750 kilowatt hours consumed in any month would be priced at 4.7 cents per kilowatt hour. If we consume above that, then we're going to go to 5.5 cents per kilowatt hour. In my riding, I was told by our Bluewater Power that the average consumption per household is 790 kilowatt hours per month. That is the average consumption in my riding.

You say, "Is this onerous?" Of course, it's always onerous when we have to pay bills. But we have to be realistic. We also have to give adequate time for the public, for those who have to pay the bills, to try to conserve energy and give them an incentive to conserve so that if



they keep it under a certain rate of consumption, they won't pay as much.

One of the issues that I believe we have here in Ontario, and we've had it, I believe, for eight years, is this myth that somehow, if you can keep messaging something out a certain way, it will eventually become the truth. Well, it hasn't. We have an incredible, if you want to call it, challenge before us, but we have the political will to be responsible in how we make our decisions, and to deal with the problem and to try to solve it.

The Minister of Energy has taken some incredible steps; that is, he had to take a look at who was running the show and hold them accountable, because they're paid the big bucks. They're paid the big bucks to make this whole entity run, and what did we find? We found cost overruns at four times the initial price, without explanation.

Also, we found that there's very little expertise on the board. This is what was amazing: One of the largest cost entities in the province and a board of directors who are all finance people, and they were all friends of the Tories; unfortunately, they did not have the expertise to bring this huge monster in line so that we could deal with our electricity issues in a more responsible way. We have to keep the lights on in this province, we have to restore confidence in our electricity system, and we have a lot of good people there who want to do that. But we have to do some rejigging of those who are making decisions at the top, because so far it hasn't worked. What we've seen is that we've added \$800 million to the debt of Ontario Hydro and we're not in any better shape than we were eight years ago, unfortunately.

**Mr Chudleigh:** That was an interesting dissertation on hydro and on electricity and on whose fault what is.

On October 23, I think it was, the swearing-in process, the Premier made a wonderful speech. It was a very emotional speech. He was talking directly to the people of Ontario and he said that we're going to work as hard as you work. We're going to roll up our sleeves and we're going to do what you do every day. We're going to work very, very hard.

Since October 23, I've heard them complain about the hydro situation in Ontario. I've heard them complain about the budget, I've heard them complain about the situation that Ontario finds itself in today, but I haven't see them do one single thing to correct it. When we were elected in 1995, in the first 30 days of our government, we brought in a bill; we brought in a mini-budget that cut \$2.3 billion off the budget. Immediately on being elected, we did that.

The other thing the Premier said on that day, on October 23, after he told the people he was going to work as hard as they did—and he hasn't done a damn thing since—he said, “We are not going to blame others.”

*Interjections.*

**Mr Chudleigh:** Withdraw. That was probably unparliamentary, and I'll withdraw.

**The Acting Chair:** Member from Halton withdraws his comment.

**Mr Chudleigh:** Sorry. But he also said that we are not going to blame others. Since October 23, I have heard little else from this government than blame being placed on everybody in the province, everybody in the county, with the exception, of course, of themselves. But you can expect that because they are, after all, Liberals.

**Mr Marchese:** To the member from Sarnia-Lambton, accusing the NDP of theatrics and, “If only we could deal with the substantive issues.” Dalton McGuinty, Ottawa Citizen, November 15, 2002, says of the rate cap the Tories had imposed, “This is a quick fix, a transparent attempt to buy votes, to buy favour with our own money.” On November 23, 2002, the same McGuinty, your leader: “I think the most important thing to do at this particular point in time is to put a cap on those rates through to 2006.”

What's “theatrics,” in your mind, Madam from Sarnia-Lambton? Could you define it for me when you get up and have another opportunity to do your two-minute conclusion? Is it theatrics for us to accuse your leader of saying something before the election and then changing his mind after? Or is it substantive debate and discussion on the issue?

What your bill does, Madam from Sarnia-Lambton, is this: The rates will rise from 4.3 cents to 4.7 cents for the first 750 kilowatt hours used in a month. After that, the rate goes up to 5.5 cents. This plan will stay in place until the Ontario Energy Board develops a new one in May 2005.

This attacks the consumers once again. They're going to get increases in distribution rates and transmission rates and everything else, in all that list that they're going to hike. While you say this, no one is looking after the consumer. All this does is increase rates; it doesn't solve our hydro problem. McGuinty replaces the old rate cap with a new rate cap, but the same profit-takers and commission-makers are still in place. Nothing has changed. The new Liberal law makes it easier to hike distribution rates. This is not energy conservation; it's a problem you haven't solved.

**Mr Shafiq Qaadri (Etobicoke North):** My honourable opponent opposite, the MPP from Trinity-Spadina, has asked for a definition of “theatrics.” I'd be very pleased to provide him with one: It's something that is meant for entertainment, for amusement, full of passion and, as Shakespeare said, a show full of sound and fury, but at the end of the day, signifying nothing, sir. That's probably a pretty good definition of “theatrics.”

I would also like to deal, with respect, to some of the comments from the MPP from Beaches-East York, in which he very rightly delineated some of the history and philosophy emanating from the Tory party.

**Mr Chudleigh:** On a point on order, Mr Speaker: I recognize the member's a new member, but I'd just like to point out that when you're doing the so-called two minute hits, you're supposed to be making the comments on the person who was making the speech, not on the



individuals who were commenting on the speech. That is parliamentary tradition. I just point that out for your edification.

**The Acting Speaker:** That's in order.

**Mr Qaadri:** I would like to first of all deal with some of the comments made, with respect, by the MPP from Beaches-East York, who delineated a little bit of the philosophic stance coming from the Tory party, talking about the attempted privatization. As my honourable colleague, the MPP from Sarnia-Lambton, Caroline Di Cocco, quite rightly pointed out, we in the McGuinty government wish to bring responsibility back to the hydro and energy sector.

I would like to remind this chamber and Ontario that it was the Tory party who was engaging in a full-blown privatization of Ontario Hydro. The company that was going to underwrite that placement was going to pocket, for that single transaction alone, \$100 million. We in Ontario, we in the government, believe we should put people first and that's why I support this bill.

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**Mr Dunlop:** It's a pleasure once again to rise this evening and discuss Bill 4. There are a lot of interesting comments coming out of here tonight. It's always interesting to hear the different opinions from each of the different caucuses, but I don't think there's anyone in this House, in any political party, who can actually stand and honestly say that they haven't had a problem with Hydro, that they haven't been part of the problem with Hydro, and that takes us back 30 years. I really do hope that we can get it right.

I do disagree this time with the lifting of the cap. I thought that we were going in the right direction and generation would come onside, but the fact of the matter is, I think you know full well that you are not going to resolve this.

*Interjection.*

**Mr Dunlop:** Yes, we would have kept it in place. We promised it to 2006. We kept our promises. It's got to be shameful for you to go back to your constituents today, face farmers, face small business people, face small manufacturing companies and say, "We did it for the good of you." You know full well after you've blatantly stood on TV and promised two things, "We won't raise your taxes and we'll leave the cap in place until 2006"—

*Interjection.*

**Mr Dunlop:** To the member over here who just made the comment about the Tory blame: I can remember specifically Dalton McGuinty, almost two years ago to the day—I believe it was December 12—standing out in front in a scrum, saying to the media, "I fully support privatization. I support the sale of Hydro." Dalton McGuinty said that, the gentleman who sits right over there.

**Mr Chudleigh:** The Premier?

**Mr Dunlop:** I think he's still the Premier today, yes. I haven't seen him for a few days, but he's probably the Premier. The fact of the matter is that that's what he said, that he fully supported the privatization of Ontario Hydro

and OPG. Ladies and gentlemen, again thank you for the opportunity to stand here and say a few words.

**The Acting Speaker:** Response?

**Ms Di Cocco:** I thank all the members in this House for their comments. First of all I want to, for the record, suggest that this government to date, in the very short time it has had in this House—three weeks—has taken some significant steps and significant actions to address this issue. We have lifted the cap. We made a fair and responsible solution to this problem. Our government wants to promote a safe, reliable and sustainable supply of energy.

The plan is a major step toward attracting new electricity supply in Ontario for future energy needs. We are sending a clear signal that Ontario intends to deal with electricity in a practical, sensible and transparent way. This plan reaffirms our commitment to modernize our electricity system by attracting new supply, encouraging conservation and delivering cleaner energy to the people of Ontario. We have made very strong commitments to get this right.

In four years down the road we will be again speaking on this issue. It is with our track record that we are going to go to the people of Ontario again. This energy and electricity issue is something we've dealt with head-on in the first few weeks in this Legislature. I say to the members on all sides of the House that it is to the benefit of the future of Ontario that we must and will get this electricity file right for now and for future generations.

**The Acting Speaker:** Further debate?

**Mr Chudleigh:** Congratulations on your appointment as Deputy Speaker in the House. Was it an appointment or was it an election?

**The Acting Speaker:** It was an appointment.

**Mr Chudleigh:** It was an appointment. Well, good for you.

**The Acting Speaker:** As second Chair.

**Mr Chudleigh:** I'm sure that with your background and the integrity you've shown in this place over the years, you'll make an excellent Deputy Speaker.

**Interjection:** Just about as good as Bert.

**Mr Chudleigh:** You can't fit in his uniform, but I don't think Bert wants to give it up. I'm sure he's keeping that in a special place in his house. He'll put it on on special days, as I'm sure you will.

I believe we're talking about Bill 4 today. It's an interesting bill. As the member from Simcoe North talked about, there hasn't been a party in this House for the last 30 years that hasn't had a problem with Ontario Hydro and electricity supply in this province. I guess my main concern on this particular bill was that of the broken promise. When you look into the camera, when you promise the people of Ontario that you're going to do something and then very blatantly, only a few short weeks after the election, you change your mind and you say, "Well, it wasn't sustainable," you're really saying, "Well, I hadn't thought it through." You might be saying, "Well, I didn't expect to get elected. Well, it just didn't

work out.” You’ve broken that promise to the people of Ontario, and that is breaking a faith.

I don’t think the people of Ontario will forget that very quickly. I don’t think they’ll forget it in four years, and I think that might be a label that rests on the shoulders of this government for some time to come. That is unfortunate.

Along with the broken promises of the tax cut, which was one that—I think every Ontarian saw that television ad during the campaign with a very sombre, very serious-looking Dalton McGuinty looking into the camera and saying, “I will not increase your taxes,” and then bringing in a bill that not only increases taxes but increases them in monumental proportions—\$4.4 billion—the largest tax increase in Ontario’s history. Another broken promise. That’s Bill 2, the Fiscal Responsibility Act. A \$4.4-billion increase, another broken promise, just like the hydro cap broken promise. I know the members opposite don’t want to talk about broken promises, but I’m sorry, I’m in opposition. It falls on my shoulders to remind you and to remind the people of Ontario about the broken promises of this government.

There were other broken promises less than 18 hours after he was elected. In one of his campaign promises Dalton McGuinty said that he wouldn’t be hiring any expensive consultants. Eighteen hours later, of course, he was hiring Erik Peters at \$1,500 an hour to come up with a bogus budget. It was as if he started out his process—

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** Your guy.

**Mr Chudleigh:** Oh, Erik Peters was not our guy. You had to read some of his reports. No, he certainly wasn’t our guy.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** Everyone else is to blame.

**Mr Chudleigh:** No, we don’t blame people. Dalton said he wasn’t going to blame people. That was his third comment on October 23. He said, “We’re not going to blame others.”

*Interjections.*

**The Acting Speaker:** Minister of Energy, come to order.

**Mr Chudleigh:** That was your leader’s comment: “We’re not going to blame others.”

**Hon Mr Duncan:** Where are you sitting now?

**Mr Chudleigh:** Yes, we’re sitting over here, and it’s our responsibility to remind people of the broken promises. That expensive auditor brought in a bogus budget. It was as if this government was trying to create a financial crisis. I remember that comment when you were sitting over here. You were screaming about creating a crisis. Well, let’s wait and see what our Minister of Finance bring in in his report. When is he bringing that in, Thursday? Let’s see what he says. Let’s see if he’s not trying to create a further financial crisis. It’ll be interesting to see what he says.

There was also the issue of the respect for tradition. That was something the Premier said he was going to do: He was going to respect tradition. There were a number

of things that happened that didn’t necessarily show a tremendous respect for tradition.

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One of them was the retrogression back to appointing a Speaker as opposed to electing a Speaker. We elected a number of Speakers since 1990, a situation that the NDP brought in when they were in government, and electing a Speaker was a democratic process. All of a sudden, in 2003, we’ve retrogressed back before 1990, and the Speaker is no longer elected, he is appointed.

The other issue that didn’t necessarily respect tradition was the seating of the rump and dividing the opposition. That was something that goes back to 1947, when that same situation existed in this House. That’s a fairly long tradition, going back to 1947, and yet you turned your back on that tradition as well.

The broken promises are something, along with the hydro situation, that is going to rest on your shoulders for some time to come with the public of Ontario.

The democratization of this House is something you’ve talked about, and yet here we are with a finance bill of monumental proportions and with an energy bill that is a very significant situation to many Ontarians, and you’ve given one day’s notice for one day of hearings on the bill. That’s a little difficult to stomach as part of a democratization on this province.

**Mr Dave Levac (Brant):** Talk to your House leader.

**Mr Chudleigh:** The tail doesn’t wag the dog; I’m sorry.

When these increases start to go to through, there are a number of things that are going to happen in Ontario over the next few months. Commercial users of electricity are going to have an 18% increase in their hydro bills. Consumers are going to have up to a 28% increase in their hydro bills.

With the minimum wage increase, which is ratcheted up all through the scale, it isn’t just the lowest-income people who get an increase, if minimum wage goes up a buck, \$12-an-hour people go up a buck; they expect that to happen. Over the course of the next few months, that will happen. There will be an increase in the wages of Ontario business of 15% or 16%.

By 2006, corporate tax rates will go up 57%—a 57% increase in corporate tax rates. You’re putting up their electrical rates, you’re putting up their wage rates and you’re putting up their corporate tax rates.

Where do you expect the economics of this province to come from if not from small business? Small business hires 82% of the people in Ontario. Those are businesses that are less than 100 employees. Some 82% of the people of this province work for those kinds of companies, and you’re hitting them with increased electrical rates, which they all use; you’re hitting them with increased minimum wage rates; and you’re hitting them with increased corporate taxes.

The results to this province, I suspect, are going to mean that Dalton McGuinty will become the Buffalo man of the year, as the Buffalo economy expands as they exit Ontario. Corporations have all kinds of flexibility.



They can go wherever they need to go in order to make money, in order to be as profitable as they can be. If that place is not Ontario, if Ontario becomes a high-cost jurisdiction, which with these three moves you're beginning to do—in fact, you're well down the road to it—then—

**The Acting Speaker:** Questions and comments?

**Mr Levac:** On a point of order, Mr Speaker: I just wanted to make sure that—the member opposite made a reference to the appointment of the Speaker. There was an election; it was an acclamation. Therefore, I would like him to withdraw the accusation that our Speaker was not elected.

**The Acting Speaker:** That's not in order. Questions and comments.

**Mr Peter Kormos (Niagara Centre):** I'm listening to this member from Halton, and I find myself agreeing with his criticism of the committee process; for instance, how undemocratic it is, how there's but 12 hours' notice and less than four hours, give or take, for public participation. But you voted for it. The member for Halton voted for the time allocation motion that created this undemocratic committee process. So you're right, member for Halton, it is incredibly undemocratic. Why did you support it? Why did your House leader, the Tory House leader, the member for Leeds-Grenville, stand in this House with great pride and say how he, arm in arm, shoulder to shoulder with Dalton McGuinty cut this deal for such an undemocratic committee process? Then, when the motion came before the House, you guys whined and didn't want to even debate it. You stand up here now and complain that the committee process is undemocratic, and I say to you, you're right. You're the author of it, member for Halton, you and your House leader, Tory Mr Runciman, Dwight Duncan's tight collaborator, co-conspirator, jackboot buddy in the suppression of democracy.

You see, don't vote for time allocation, member for Halton, and then come here and whine about it. You are the author of your own misfortune. Don't complain about inadequate committee hearings when you and your caucus crawled into bed with the Liberals to cut that very deal. Don't stand in here and condemn the very motions that you helped draft and that you voted for. I find it remarkable that any Tories would speak with any criticism about that arrangement because, Lord knows, they weren't here speaking in support of the motion when it was before the Legislature. They were whining because it was too late and they didn't really want to be here. Well, put up or quiet down.

**Mr Lorenzo Berardinetti (Scarborough Southwest):** It's my pleasure to have an opportunity to make a two-minute reply to the comments made by the member for Halton here today. I just want to focus basically on one theme in his 10-minute speech, and that is, he kept bringing up the issue of a broken promise. I don't think the people of Ontario are going to focus on an issue or a phrase or mantra that's continuously being made by the Conservatives about broken promises. The key here is

that there's a broken energy system. It's a broken system that's not working, it's a system that has huge cost overruns, it's a system that needs to be changed. What Bill 4, in front of us today, does is start looking at repairing that broken energy system, a system that includes a Pickering plant with huge cost overruns, a system that has artificial price caps in place that were created, if I'm not mistaken, at a photo-op in Mississauga in the household of a young couple, who now apparently don't support that cap any more.

I think it's time to be responsible, and that's what the people of Ontario really want to hear. They want to see responsible legislation and responsible decision-making take place, because in the end it's their pocketbooks that are being affected. There's no use yelling and screaming and saying, "Backroom deals are being made. You guys were in bed with those guys, and those guys were in bed with these guys. You guys are trying to cut deals with other people." The bottom line here is the dollar and being responsible with the taxpayer dollar. Bill 4 does exactly that, and I'm proud, as a member of the Liberal government, to support it today.

**Mr Yakubuski:** I want to thank the member for Halton for his wise words on this energy bill and others. We're talking about this rate increase in hydro, and earlier I heard the member for Chatham-Kent-Essex say that the average home in this province uses 1,000 kilowatt hours of power per month, so all you've got to do is reduce that to 750, and with a good personal conservation program it shouldn't be too hard. Of course, no problem. When you bathe the baby, from now on make sure you bathe him in cold water. I'm sure he'll like that. The screaming stops shortly. Eat meat that's not cooked or something. Eat some raw meat; you'll save on that stove. You'll get that energy usage down to 750 kilowatt hours per month, and then you'll be the recipient of that wonderful rate of 4.7 cents per kilowatt hour. It's no big deal; just a little bit of conservation. It's only 25% of your energy use. It shouldn't be too hard to cut your usage by 25%. Let's all just shut the main off for six hours. That's one quarter of your day. We'll do it that way. But do it in high peak times of the day. This government is now saying that you're going to get the good rate, folks, even if you do live in something bigger than a phone booth. You've just got to cut that use by 25%, and we'll have you coming in at that 4.7 cents a kilowatt hour. So the baby screams, so you get salmonella, what the hell. Just cut back on that usage and everything will be fine.

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**Mr Prue:** I listened with great interest to the speaker, and I have to tell you that his speech was really in three parts. This is something that I guess is trifurcated. We've heard a lot about bifurcated; let's have trifurcated.

The first part of his speech was pretty good. He talked about the broken promises of the Dalton McGuinty government, the 231 promises, and how many of them are not coming true or are being completely changed. This hydro is a beauty. This is a real beauty on the rate



caps. It's one of the biggest broken promises of this new government.

Then he lost me for a while. He started talking about his government and what they had been doing. I was immediately reminded of one of the most famous lines of probably the world's greatest philosopher, Socrates. My Greek's not that good, but the English paraphrase is quite simple. He said, "I would gladly be persuaded, sir, but not against my better judgment." I have to tell you that he was absolutely right. What I heard in this second part of the trifurcation, no one could possibly believe in good judgment that what was being said about how wonderful the Conservatives had been around this hydro issue could possibly be true. They botched the privatization, they botched the hydro rates, they botched the cap, they botched everything to do with hydro.

Then all of a sudden in the third part he was absolutely right again. He talked about what's going to happen with the rate cap being removed and who's going to be affected. He talked about industry and the number of jobs that may be lost when industry has to pay more for electricity. We've already seen that in northern communities around mines, and we've already seen some of the problems in the auto industry. He talked about the working poor and how were they going to possibly afford this, and none of that is in the bill. He also talked about small business. These are the issues that we must deal with before this bill is finished. We must deal with how these people who are going to be hurt are going to be helped.

**The Acting Speaker:** Time. The sponsor, the member for Halton.

**Mr Chudleigh:** That was a wonderful summation. I didn't realize I had broken it into three parts. That was wonderful. The fourth part that I was going to get to was the solution, part of the solution. We did start to expand Sir Adam Beck. We were drilling the tunnel which makes—

**Hon Mr Duncan:** We're nowhere near that. We don't even have the approvals in place.

**Mr Chudleigh:** Well, you should move that along as quickly as you can. We started out that process. It's not only doubling the capacity of Sir Adam Beck 2 but also building Sir Adam Beck 3, which is, I believe, in the area—perhaps the Minister of Energy can comment on this—of 250 megawatts, which is a significant increase.

Shutting down the coal-fired plants is going to be a huge mistake. It might have some environmental impact as far as publicity is concerned, but the energy that we're going to be buying is going to be coming from the United States and it's going to be coming from coal-fired generators which have no scrubbers on them whatsoever. The Lakeview generating station, for instance, has some significant scrubbers. They scrub about 50% of the dirt out of the effluent. The energy that we would be buying from the States will have no scrubbers and 50% of the pollution that comes from those coal-fired generators in the United States will also come to Ontario.

The other thing I was going to mention was that the federal government, your cousins down in Ottawa,

continue to charge GST on electricity in Ontario. The Ontario government of course does not charge PST on hydro bills, but the federal government still sucks up 7% out of all the electricity bills in Ontario. That is something you should take to Ottawa and try to correct at your earliest possible convenience.

**Mr Dominic Agostino (Hamilton East):** Thank you, Speaker, and I want to congratulate you on your election to the chair as well.

First of all, let's take a look at how we got into this situation we're in today. We had five years of an NDP government whose solution to dealing with the hydro crisis was to buy some rain forest in Costa Rica. That would help. This same party opposed the price cap when it was brought in and now opposes lifting the price cap. As usual, consistency and the luxury of not having to be responsible in your decisions—we see it every day.

Then we had eight and a half years of the incompetent Tory government trying to deal with this issue. Remember Ernie Eves's 11 different positions on hydro: I'm in favour; I'm opposed; I'm in favour; I'm opposed; I'm in favour; for the by-election, I'm opposed—11 times. Then they brought in the price cap and promised that the price cap was going to be revenue-neutral. They said to the people of Ontario, "It's not going to cost you anything." They said to the taxpayers, "We're going to bring in the price cap and it's not going to cost one additional cent." As we now find out, the cost so far has been \$800 million.

So you look at that and you look at the context in which we had to make this decision, and I think the people of Ontario understand that what the Premier, with the energy minister and this government, has done is brought in a fair and reasonable plan to deal with this mess. This reflects the true cost of electricity. We're approaching that true cost. But it's also done in a manner that is incremental. This plan allows the opportunity for conservation and gives incentives for conservation. It's the first time in the history of the province that there's been a plan in place that actually gives an incentive for people to conserve energy.

The NDP tried. I remember they were floating around the idea of giving everybody a free fridge back around the time they got elected. An energy-efficient fridge was part of what I remember their energy minister musing about at that time. Is this sustainable? The reality is, it would have been irresponsible for this government to continue on this path of an \$800-million-a-year subsidized cap, first of all because it would take away from our ability to pay for other programs, it would take away from our ability to pay for health care, education, clean air, clean water, meat inspection, things that are necessary to the people of Ontario. It would have been irresponsible for us to bury our head in the sand and pretend this did not exist, that this somehow was going to be a debt in a corner somewhere that did not reflect upon the people of Ontario.

This bill in front of us now is going to protect consumers because there are going to be predictable



increases, there will be stability in the industry and also, as I mentioned earlier, there's an incentive to conserve energy. Part of this plan as well is that it will go toward ensuring that we promote a safe, reliable supply of energy for the future because the reality is, we don't produce enough energy in this province right now to meet our needs. The reality is that unless we get our act together very quickly on this and work together to find renewable sources, to find sources of energy that are going to help this province, that are going to help produce more energy, we're going to continue down this path.

I believe this bill does that. It's a start. There's no quick fix here. There's no simple solution, as the Tories and Ernie Eves liked us to believe before the election, to this mess that we're in. It's going to take some time, it's going to take some work, it's going to take some energy, but certainly the commitment is there by this government to deal with this issue.

2010

The previous speaker from the Conservative Party talked about promises. We saw the mess that has been left here. We saw OPG—Ontario Power Generation—totally out of control. The report that came out last week: a \$4-billion overrun at Pickering, bloated salaries, bloated expenses, bloated bonuses, rewards for incompetence. Our energy minister has made a commitment to deal with this. Some steps have been taken and more will be taken.

These were the guys across the floor, the Tories, who prided themselves on being good fiscal managers. They knew how to run a province. They were business people. They were the people who understood the bottom line. They portrayed themselves as those who understood the best interests of Ontarians. What we saw was eight and a half years of total mismanagement.

They told us there was going to be a balanced budget. We remember Ernie Eves, Janet Ecker and others on Focus Ontario: "We're going to balance the budget. Don't worry about it; there's no problem." Then we saw a mess that was close to \$6 billion and growing across the province. I can't believe for a second that Eves and the Tory candidates did not know the mess we were going to be in, but they continued to tell the people of Ontario the same story enough times, hoping they would believe it. They say \$100 million in the hydro cap was one part of that. Ernie Eves stood in this House and across the province and said, "Revenue neutral." In the real world, \$800 million a year is not revenue neutral. So we're dealing with a mess that we inherited.

We're dealing with eight and a half years of a government that lost all respect for this place and what it does. I remember the member across the floor speaking about respect for tradition. The Magna budget—talk about respect for tradition; talk about breaking every democratic principle we established in the history of this place by taking a budget and making it a media production of it outside the Legislature of Ontario. That's respect for tradition, for democracy? They invoked

closure on legislation more than any other government in the history of Ontario—talk about respect for democracy.

**Hon Mr Duncan:** Except for the NDP.

**Mr Agostino:** Of course. I'm trying to wipe those five years from memory, but it's difficult.

Responsible government means having to make some tough decisions. Responsible government means having to bite the bullet and do what is right for the people of Ontario, not only for tomorrow or the next day but five, 10, 15, 20 years from now. This energy pricing that we've outlined and what will follow are part of that. Can you imagine if we had done nothing?

The Tories said they would just kept the cap as it was. It was business as usual. Assuming we even had enough energy on line for the lights not to go out in the next four years, we would have had a deficit in this area of a minimum of \$3.2 billion additional. But the Tories think that's responsible government. That is the type of thinking that got us into the mess we're in today. Just continue adding and pretend the debt doesn't exist, pretend that somehow, someone else has to worry about it, that future generations of Ontarians don't have to deal with this debt, that somehow this debt can magically be swept away by someone snapping their fingers or waving a wand and it's gone. That is not the reality.

Premier McGuinty and the Liberals understand the fiscal reality we're dealing with today in Ontario. They understand we've got to be fiscally responsible. We made that commitment to the people of Ontario, and we're going to keep that commitment.

This is one of the steps in that fiscal responsibility, but it does much more. As I mentioned earlier, it does promote conservation, and really that is the key: How do we quickly reduce energy use in Ontario in a safe, efficient way? There's waste everywhere; we all know that. I think all of us are guilty of that to some degree when it comes to energy consumption in our own homes. Maybe this legislation will give us the extra incentive to switch that light off or not use energy at peak or not do half a load of laundry. It may give people that incentive. So it does promote conservation.

But what it also does is lay out a responsible plan for the future to ensure we have enough energy so that when you turn a switch on, the lights go on, and to ensure we have the type of climate in Ontario where there can be investment in new sources of energy. We cannot sustain the rate we're at today and continue to operate and think everything is going to be wonderful without new sources coming on line.

I am pleased to support this bill, and I congratulate the Premier, the Minister of Energy, the government and my colleagues for bringing forward what is a forward, responsible approach to dealing with the mess that's been left to us by 12 or 13 years of governments that simply did not get it. This government gets it, and we'll get it right.

**The Acting Speaker:** Questions and comments?

**Mr Marchese:** To the member from Hamilton West, who is a veteran in this place—



**Interjection:** East.

**Mr Marchese:** Hamilton East.

The rate cap was not responsible; it was irresponsible. We knew it, you knew it and your leader knew it. I put this to you, member from Hamilton East: When your leader said, "We will keep the price in place until 2006"—that's in your platform—that was an irresponsible promise to have made. How is it that you could wave the magic wand before the election and say, "Yes, we can keep the rate cap until 2006," but after the election the magic wand disappears and all of a sudden you become a responsible government, a responsible leader, playing with the cards you've been dealt? Why didn't you keep the magic wand you had before the election?

I tell you in addition, member from Hamilton East, that this plan is not a conservation plan. I'm not sure where you find the logic to say that. This is a rate hike and nothing else. It's a rate hike for everyone and nothing else. What you're doing is making people pay for private speculation. People are paying so that companies like Brascan can take money out of my pocket and out of your pocket. Bottom line: As long as your Liberals keep deregulation alive, someone, either ratepayers or taxpayers, has to feed that beast. I'm sorry, but you can't conserve with this strategy. All it means is a rate hike and a broken promise, nothing more.

**Mr Khalil Ramal (London-Fanshawe):** Mr Speaker, first I'd like to congratulate you on your position. I'm looking forward to working with you for the next four years and speaking to the other members and to the people of Ontario through you.

All night I have been hearing talk about breaking promises from this side and that side. I don't think we can call it breaking promises. I would call it a responsible act. As the honourable Minister of Training, Colleges and Universities said, it takes a strong, responsible person to make a decision that will affect all Ontarians. That's what happened when the Minister of Energy and the McGuinty government took that decision.

We as Liberals know, as do the people of this province, that it's a very hard decision to make. But in order to protect our economy, in order to ensure we have a better future for our kids, sometimes we have to make difficult decisions. Lifting the cap is one of the most difficult decisions we are facing, but one strong person has to make that decision. We have to make that decision to go through our promises and implement our promises toward education and health care and social programs which we promised to deliver to the people of Ontario, and we will.

2020

**Mr Dunlop:** Again, it's a pleasure to rise and make a few comments. It's always interesting to see the finger-pointing from the members opposite. It's something that I guess we'll become very used to in the next four years.

The member from Hamilton keeps talking about "the mess." I wonder why you voted for the mess. Last year, you supported all this legislation. From the Energy Competition Act forward, in 1998, Dalton McGuinty has

continually supported Hydro deregulation and privatization, up until December 12, 2001, when, as I said earlier this evening, he blatantly supported the complete sale of what we called Ontario Hydro, or the breakdown of OPG and Hydro One. The fact of the matter is, you people stand over there and say you inherited a mess after you supported the legislation over and over. I think Liberal candidates across the province have done their very best in the last provincial election, other than to say that they would not lift the cap, to just avoid the whole Hydro issue. They certainly did in Simcoe county, in our ridings; they wouldn't even talk about it. When they did bring it up, they didn't really know a lot about it. The fact of the matter is that for the member to talk about some kind of a mess they inherited, of course he forgets to say that they actually supported the mess.

It's always interesting to hear these types of comments, especially when we are debating such an important issue as the loss of jobs here in the province of Ontario. Thank you again for this opportunity.

**Mr Prue:** I listened as well to the member from Hamilton East, and I have to tell you that throughout that entire 10-minute speech that talked about conservation, I never heard any conservation measures. The only thing they were saying is that if you raise the prices high enough, often enough, people are going to have to cut back. That is not much of a conservation measure. What that is is a slow starvation measure, particularly for those who are in lower and worse economic circumstances. They are forced to cut back on the very necessities that keep them, often, in their own homes, in their own apartments. They are forced to pay amounts that they can ill afford to pay. With the greatest of respect, all that happens is that they see the costs go up as their standard of living declines. Where is the energy conservation in that?

If this was a plan with true energy conservation, you'd be doing something like the state of California did after they got into the whole debacle of Enron, the whole debacle where millions and billions of dollars were siphoned off when that state decided they were going to do something similar to what the Conservatives here in Ontario tried to do. They tried privatization. They allowed a corporation to literally rip the people right off.

What Californians have learned is that it is far more important today not to build more electricity transmission, not to build more sources of distribution, not to build the giant power plants, but to conserve. The rate of electricity in California today is much less than it is here in Ontario, averaging about three cents. The reason that is the case is because they have been singularly able to reduce the amount of electricity that is being used in that state. They've done it through incentives. That's what we should be doing, looking at incentives, because without those incentives we will continue to use far too much electricity. We will use it for stoves and fridges; we will use it for heating; we will use it for any number of sources. Quite frankly, starving people and costing more money is not the way to conserve.



**The Acting Speaker:** Response by the member for Hamilton East.

**Mr Agostino:** I want to thank my colleagues from Trinity-Spadina, London-Fanshawe, Simcoe North and Beaches-East York for their contributions to the debate.

I find it incredulous when I listen to NDP members speak on this issue. The cap was bad. Remember that? You voted against the cap because you thought it was a lousy idea. Now you're sitting here in the House and you're speaking against lifting the cap. Which way do you want to have it here? You're either in favour of the cap or you're opposed. If you think the cap is a bad idea, then you're in favour of lifting the cap. But what's convenient here? Is there anything that party believes in? Are there any principles left, except buying rain forests in Costa Rica or imposing a social contract on your brothers and sisters, working men and women, or bringing forward irresponsible commitments to auto insurance? It's incredulous. "We don't want the cap. We don't want to lift the cap." Somehow the problem is going to go away.

Ernie Eves looked at people in Ontario and said, "This is going to be revenue-neutral. Don't worry about it. It's not going to cost anything." This cap has cost the people of Ontario \$800 million.

This is the responsible approach. This is not the end of this. This is the beginning of a commitment to fix this problem in Ontario. It's going to take some time. It's going to take some energy. It's going to take some effort. It's going to take some dedication. This is the start; it is not the end. But certainly we finally have a government in Ontario that is ready to tackle this head-on and get it right.

**The Acting Speaker:** Further debate?

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I wish to speak to the energy bill, Bill 4, in the context of what it means for our future supply, and of course what's related to supply is price.

While rushing to break a promise to keep the electricity price cap in place, Liberals have forgotten to include measures that would ensure the future sustainability of our energy sector. There's no mention of corporate tax incentives, capital tax exemptions or sales tax rebates. I mention this because also not mentioned in this bill—it was mentioned in the throne speech—is the Liberal promise to phase out coal-fired electricity generation by the year 2007.

Quite recently, this evening, the member for Halton mentioned that shutting down coal plants would be a huge mistake. I concur. Given the fact that the Liberal electricity rate hike does nothing to ensure that new generation will be brought on-line, and given that a coal phaseout would require new generation replacement, I'll focus most of my comments on future supply and the Liberal plan to turn out the lights on coal-fired generation.

We're all well aware that there are smog problems in Ontario; however, the issue of air pollution requires more thought than simply rushing to pull the plug on coal-fired

power plants like Nanticoke. There are other issues to consider. The United States, as we all know, has about 200 coal-fired plants emitting into our common airshed. These US plants account for over 50% of the smog in the province, and it's closer to 90% down in the Windsor area. Ontario's electricity generation accounts for 7% of this problem.

Ontario's coal-fired plants supply more than a quarter of our electricity. Contrast that to some of our neighbouring states upwind from Ontario: Illinois, Indiana and Ohio for example, rely on coal for 80% of their power. I ask you to contrast these states that use coal for 80% of their power needs to the province of Ontario.

Rushing to close coal-fired stations is not the answer to our energy needs. Coupled with ongoing technological advancements with regard to reducing emissions, we know that coal is abundant, coal is affordable. Globally, the supply of coal is somewhere in the range of 1,000 years, and there are some significant benefits that I wish to describe tonight.

**2030**

We cannot ignore the fact that, as petroleum geologist for the Calgary oil industry, Andrew Miall, told a recent energy symposium, we've tapped virtually all the natural gas reserves on this continent as natural gas consumption continues to rise. He told the Ottawa Citizen, "The problem is that the Canadian public and the government seem to refuse to regard an impending energy shortage as news."

A University of British Columbia professor—this fellow is the director of UBC's school of community and regional planning—added, "This is a cold, dark country for much of the year.... We're burning more and finding less," indicating that "production may have peaked already." He went on to say, "The lead time for new energy technologies to make a significant contribution is 20 to 40 years."

We also hear from the chief executive of Bruce Power, Duncan Hawthorne, that all our nuclear generating units in Ontario will reach the end of their normal operating lives by somewhere around 2018. He also said that any plan to build a new nuclear plant would have to be implemented immediately to be ready in time for this looming energy crunch. That's an energy crunch that would crunch us all in the wake of any thought of a coal-fired phase-out by 2007. I will mention we have heard of no plans from this government to start up a new nuclear generating facility.

Natural gas may have reached its peak. There is evidence of dwindling supplies of natural gas. Our nuclear plants are aging. Current facilities are expected to have a lifespan of perhaps another 15 years. As I mentioned, there is a 1,000-year supply of coal.

Other alternatives: I'm an advocate of wind power. For the last two years I've been working with a company that has plans for a wind farm in my riding on Lake Erie. But we can't put all our eggs in that basket, obviously, unless we want to see further dramatic price increases in the cost of electricity for the people we serve.

In a recent report in the Kitchener-Waterloo Record, George Burrett is quoted, "Electricity produced by wind generators"—granted—"an increasingly important new source all across northern Europe, will cost more than the early six cents a kilowatt hour...."

Despite this information, the OPG Nanticoke plant continues to be scapegoated by this government, and for those pointing fingers with respect to emission concerns, I propose that many people are seeing part of the picture. Time and time again, in the past government, our former ministers and our Premier were called upon for reasons as to why Nanticoke should continue to power our province. Just this year, former Energy Minister John Baird was clear in pointing out a number of significant advances toward cleaner energy at Nanticoke. In response to questioning from the opposition, then Minister Baird pointed out that we generate 24% of our electricity in Ontario using coal—demonstrably less than that produced at the time of both the Liberal and NDP jurisdictions. Baird also mentioned that we're also spending more than a quarter of a billion dollars on pollution abatement technology at both Nanticoke and Lambton—investments the previous governments failed to make.

I'd like to quote then Premier Ernie Eves earlier this year: "First of all, you'll know that 68% of the power generated in the province of Ontario comes from generation sources that do not produce greenhouse gases. And we have in place procedures that result in 80% reduction in nitrous oxide pollution on the units with SCRs...at Lambton and Nanticoke."

I will remind the members opposite that the Ontario government has spent \$250 million in the construction of SCRs. These are the selective catalytic reduction units. These units have been created or installed at both the Lambton and the Nanticoke coal plants. Once these units are fully operational, emissions between the two plants will be dropping by 12,000 tonnes of nitrous oxide. That's the equivalent of taking 600,000 cars off the roads.

I think we all agree that diversity in supply is essential for stability. I do remind you that compared to North American reserves of other energy sources, coal is by far not only our most abundant but our cheapest fossil fuel.

Dalton McGuinty's plan to rush in and shut down coal-fired plants by 2007 is not only unrealistic, it's clearly very costly. We've seen figures—and this was a year ago—ranging from \$6 billion to \$9.5 billion to shut down coal. A plant the size and value of Nanticoke—and 600 of my friends and neighbours work in that particular plant—does deserve a closer look. Take a look at what additional improvements could be made to achieve some of the necessary reductions in emissions in the years ahead.

During our first day back at Queen's Park last spring, then-Premier Eves wasted little time in coming to the defence of Nanticoke during question period: "Nobody is in favour of dirty air. Everybody's in favour of cleaning up the environment, but you have to have a responsible, thoughtful plan when you go about doing it."

"First of all, you'll know that 68% of the power generated in the province of Ontario comes from generation sources that do not produce greenhouse gases. We have a plan, of course, to eliminate the coal-powered plant at Lakeview by 2005. We have turned down sales of two coal-powered facilities at Thunder Bay and Atikokan." Again, the proposed purchaser would not agree to eliminate coal.

We have the SCRs in place, and I put forward the position this evening that there's a lot more at stake with respect to shutting down coal in Ontario.

**The Acting Speaker:** Questions and comments?

**Mr Marchese:** Just a few comments to the member from Haldimand-Norfolk-Brant. He spoke to the issue of future supply and price. I've just got a couple of problems I want to share with you.

First, on the issue of future supply, in eight years you guys didn't build any new power generation—nothing. I've got a problem with that, and the people of Ontario have a problem with that. How you could talk about future generation of power when you folks did nothing is tough.

Secondly, your way of generating new supply was to sell Hydro One and sell the generation of power. The people of Ontario rejected that as a solution.

Then you talk about price. My assumption is that you would have kept the price cap. I'm not sure how you could argue that keeping the price cap is a good thing if it's costing us 800 million bucks. By the way, someone has to pick up the cost of that, right? It's off the books, but someone's got to pay. As Mike Harris used to say, future generations of children have to pay. How could you justify that you could put on a price cap and keep that debt off the books, and that was OK? I don't understand that.

What I don't understand either is that the Liberals supported you when you wanted to sell off Hydro One and sell off the generation of power. I couldn't understand that either. And I couldn't understand why the Liberals, knowing it was wrong to keep the price cap, agreed with you and said, "Yes, we'll keep it until 2006." It's incomprehensible to me that to New Democrats and to Liberals what you were doing was wrong, yet the Liberals in opposition supported you when you wanted to sell Hydro One and the generation of power and supported you when you wanted to keep the cap.

I say you were wrong and the Liberal plan was wrong as well.

**Hon Mr Duncan:** I want to commend the member opposite for his speech this evening. I've heard a lot of speeches throughout this debate, and I must say he was on issue and spoke to the bill itself and to the government's energy policy. Of course, he's completely wrong in his opinions, and I don't support him, but he put a compelling case, and when one differs, one must acknowledge when there's a compelling case, unlike the NDP, before the election—the price has to reflect the market. Now they're going to vote against that. Next to



Ernie Eves, I think they've taken more positions on the hydro cap than just about anybody.

2040

The member for Trinity-Spadina is particularly funny, as I reflect. Energy prices went up 40% under the NDP before they capped the price. So they capped the price; they supported that sort of thing back then. Then they bought a Costa Rican rain forest. Now that's a legacy to be proud of, right there. So I commend the member, and although my views differ tremendously from his, he does a good job in representing his constituents. The member for Trinity-Spadina, in response, didn't really address the speech. He chose to address the typical NDP flip-flops on this issue. They want to be all things to all people. They want to keep their head stuck in the sand about hydro issues, or wherever else they want to put it.

All I can say to the member opposite who spoke is, I applaud you for taking a consistent position, for stating it well, for stating it consistently. I can't, however, applaud your record in government when you did nothing to create more supply. In fact, you had policies that did nothing but hinder the creation of supply. But compared to the flip-flopping of the NDP and the member from Trinity-Spadina on this issue, your remarks were remarkably cogent and consistent.

**Mr Jerry J. Ouellette (Oshawa):** Mr Speaker, it's nice to see you in the Chair. First of all, I'd like to make some comments with regard to the member from Haldimand-Norfolk-Brant, but I'd also like to address a couple of issues as mentioned by the Minister of Energy as well as the member for Trinity-Spadina.

First of all, there were a number of initiatives—and it's good to see the Minister of Natural Resources in the House—that were undertaken by the previous government, which included wind power mapping. There are a number of companies out there that are currently in the process of finding locations out, and the Ministry of Natural Resources is currently engaged in wind power mapping for the province of Ontario. What that means is that they have the ability to identify sites where wind power generation is going to be very economical and very beneficial. I know that those benefits should be seen about two years from now.

Also, I know the member from Trinity-Spadina mentioned that there was no new development, but if you spoke with the member who is sitting directly behind him, you would find out that Iroquois Falls, for example, just did a \$50-million upgrade of their generation power, so that they can contribute substantially more along the line as well.

Not only that, but I know that in the Ministry of Natural Resources there are over 600 dams that are currently under the control of the Ministry of Natural Resources. One of the policies put in place by the previous government for those dams and any retrofits or upgrades that were made available there was to ensure that the potential for low-flow development be made available on those sites. The Minister of Energy probably wouldn't be aware of that, because the two ministries

don't always talk to each other. But I know that that potential in development for those 600 dams, or a number of those dams, is certainly there.

Also, it was mentioned in the alternative fuels committee that Alberta and the US Energy Commission did a study that indicated that the gas usage in North America will peak at about 2015. At that time, the demand will outweigh the supply. Currently, the two new lines that are planned to come down from the Arctic will only meet those demands by 2015. Quite frankly, after that time, the gas demands are going to far exceed that and we won't be able to supply it, although there is a lot of new technology coming on with sea ice that is going to be able to extend, or expand, or extract gas so we can utilize it.

**Mr Prue:** It's a pleasure to stand and comment on the speech made by the member for Haldimand-Norfolk-Brant. Just a couple of comments on that. He spent a lot of his time talking in defence of coal-fired generation. I think we all need to just stand back here for a moment and think about the defence of coal-fired generation. I know that this government was elected on a platform of getting rid of coal and replacing it with alternate energy sources by the year 2007. I'm not sure it can be done, but I wish you well in doing that, because I don't believe that coal should ever, in any of its guises, be looked at as a panacea for energy. Quite frankly, we know that both the medical officer of health for the province and the medical officer of health for Toronto have come to the same conclusion, that about 2,000 people a year are dying from the air quality in Ontario, in large part, although not exclusively, from the coal-fired generation plants. The coal that burns is dirty. It may be economical, but it is causing problems with our old people, and particularly with young people. It needs to be phased out. It is not the panacea and it is not the answer.

The previous government did literally nothing to look for new sources. You can watch what is happening literally all over the world. You can look at what's happening in Germany, where they are shutting down their nuclear plants. They shut one down today. You can look to Denmark, which is a leader in wind turbines. They produced more in wind turbines this year alone than we have in North America—a little, tiny country like Denmark, that is actually making it work.

When I listen to this speaker—he's looking to the past. I would commend him for talking to the issue, but I would think that the real issue that we need to put our minds to is, how do we produce this electricity in the future, and do so in a clean way?

**Mr Barrett:** I wish to respond to the member for Trinity-Spadina. I will point out that Hydro One and OPG are still publicly owned. We didn't sell them. Secondly, I stand by my promise to my constituents to cap the price of electricity at 4.3 cents per kilowatt hour. That was a commitment that was implemented November 11 of last year. I spent three days knocking on doors after that, and people were very, very thankful. They do look

to us in this House to come up with some long-term sustainability solutions.

I thank the member for Windsor-St Clair for his compliments and his accolades and, in a sense, his flattering comparisons: comparing me to the member for Trinity-Spadina—I won't go any further on that one.

The member for Oshawa knows the north; he knows the MNR file. This concept of wind power mapping—we know the competence of MNR, their involvement in issues, a myriad of issues, around the 600 or so water-course dams across the province of Ontario. That source of electricity is rife with problems as well, if this government is looking to building more dams. I mention one issue, fish migration, as something that has been influenced in a very negative way over the last 200 years of building dams in Ontario that will continue to be hampered in a very serious way if we continue to dam rivers and streams.

The member for Beaches-East York—of course we're all concerned about air quality and health. I want to stress the importance of bringing new generation on supply, but I also reiterate my position that we have plants and equipment, and a lot more can be done to clean it up.

**The Acting Speaker:** Further debate?

**Mr Prue:** The debate here tonight—and I'm going to try to stay entirely on the issue—is lifting the cap of 4.3 cents. How much does it cost for us to produce that electricity? Probably about one cent more than that. So, probably somewhere around 5.3 cents.

The issue for me isn't so much that you are taking the cap off and putting a new elevated cap on. That's not the issue. The issue for me, in part, and the reason that you're seeing opposition from New Democratic Party members, is because you said you wouldn't do it. It's not what you're doing; it's because, with the greatest of respect, you went out to the electorate and you said one thing, you said everything that's fancy in here, knowing full well that what you were saying could not be delivered upon. Of course it is impossible for you to continue to sell electricity at 4.3 cents when it costs around 5.3 cents to produce. And of course something has to be done. But saying one thing to the electorate before the election and doing something else immediately after leaves a bad taste in many peoples' mouths. That is what the opposition over here is for. Not because—

**Mr John Milloy (Kitchener Centre):** For public auto insurance?

2050

**Mr Prue:** I wasn't around for public auto insurance.

*Interjections.*

**Mr Prue:** I'm sure you're all experts here, you brand new members who have been here a week. Yes, I'm sure you're all experts. The reality today is that what you are putting forward is that you are going to increase the cost to 4.7 cents on the first 750 kilowatt hours and thereafter 5.5 cents for those who use more power than 750.

The average homes use 750, 800, 900, depending on where you live, depending on the circumstances, and depending in large part whether you have other alterna-

tive sources of energy. In some places in this province, people have very little opportunity to get natural gas; it simply is not piped in. Coal transportation for heating is no longer viable. Oil is sometimes problematic. So occasionally you have people who, through no fault of their own, simply based on where they live, are required to have electric heat. We all know that is expensive and we all know the difficulties that this increase in price is going to cause to those people.

Consumers also know that in raising the rate, the 4.3 cents going up to 4.7, or 5.5 cents after that, that is only a small part of the bill. In fact, an equal, or nearly equal, amount comes from the other nine charges that one can find on an electricity bill. I know that the consumers out there, some of whom may be watching tonight, and certainly all of you as consumers in this province, when you get your electricity bill you will see that the 4.3 cents, as currently capped, accounts usually for only around half of your bill. There are nine other charges. Those charges include, but are not limited to, the transmission of the electricity across the grid. They include, but are not limited to, debt repayment. They include, but are not limited to, what it costs to produce in the various venues across this province.

The one that always gets me the most is the cost simply for being a customer. You are charged simply for being a customer. I'm unaware of any other commodity, any other product, any other service that is sold in this province where you are charged simply for being a customer. I know that if you go down to the corner store, they don't charge you a dollar when you walk in for having been a customer; they charge you for the product that you buy. If you choose not to buy anything and browse and walk out of the store, there is no charge. But in electricity matters, you are charged simply for being a customer. You will see that the users, particularly people who don't use a lot of electricity or who use it only in certain key months of the year, end up paying even when they use no electricity at all.

The two that come most to mind are the people who are lucky and fortunate enough to own a summer home or a cottage. In the winter or in the fall or around Thanksgiving, they leave. They turn off the switch and they know they're not coming back until the spring. But what they've been surprised to find out in the last couple of years, with this new pricing scheme and all these alternate charges, is that they continue to be charged for electricity even though the switch has been turned off. So when you come back to your cottage in the spring and there hasn't been a soul inside of it for six months, you still get an electricity bill anyway.

I will tell you that this is what we are continuing to see and why some New Democrats are not supportive of the bill. Because what it allows, within the body of the bill, is that these charges remain in effect, and in fact some of the nine charges actually increase.

We also have a similar problem for snowbirds and people who flee this province and this country in winter-time. They go to sunnier climes, where it's just a little bit



warmer. They too can turn off the electricity to make sure it is reduced to nothing, or near nothing, and when they come back from Florida, nicely tanned and looking and feeling fit, they will find as well, that even though they did not use the electricity, the other nine costs will continue to escalate because of this bill and because of what the previous government did.

If you took all these charges together, if you only paid for the electricity and you were honest about all the other charges, you would charge about 9.4 cents, because that is the reality of what it costs for the transmission, for being a customer, for the distribution, for the debt, and for everything else; it's about 9.4 cents.

What you are doing, in raising the rates to 4.7 cents and thereafter to 5.5, is going to add about \$20 a month to the average consumer in Ontario. That's \$20 that many of them will have a very hard time paying for and realizing—people who are on fixed incomes, people who are tenants, people who live in subsidized housing, people who live on the margins.

The electricity distributors under this bill are going to get a bit of a sop. They are going to get about \$100 million a year in extra fees. They're also looking for and will probably get a \$650-million one-time fee for deregulation charges that they have already borne.

We know from looking at this bill and the reality of the electricity market today that there are a great many other hiddens on the horizon, hiddens that are not referred to in this bill: the costs that are likely to go up for the local distributors; the costs that are likely necessary for the new transmission lines that are required in this province; the costs for Pickering, the \$4 billion that have been announced; and the cost of retrofitting or changing or shutting down the coal-fired generation plants. All of those are costs that are not going to be within the reality of the new cap of 4.7 to 5.5 cents per kilowatt hour.

I'd like to speak about how this new bill is going to affect tenants. More than half of the people of the city of Toronto and probably about a third of the people who live in province of Ontario are tenants. They rent their apartments, and usually within most of those apartments the costs of energy and the costs of electricity are part of the rent. We all know what happened under the Tenant Protection Act in the previous government. We all know that when natural gas prices spiked, tenants were taken by their landlords to the rent review tribunal and had their rents increased by the same amount. In reality, the landlord did not have to pay anything because natural gas went up; the tenants paid because natural gas went up. Even though it was the landlord's business, it was the tenants who bore the costs.

Now we have electricity. We know that electricity is likely, on average, to rise about \$20 for the average person. I would put to you, Minister, that we can probably expect, unless you change the Tenant Protection Act, that tenants are going to see an increase in their rent of about \$20 a month in order that the landlords do not have to pay the extra costs of the electricity themselves. There were no phase-ins, there were no caps when this hap-

pened with natural gas, and we can expect exactly the same with electricity. There is no incentive on the landlords to put in energy-efficient appliances or do anything else to retrofit, because they can merely pass the costs on to their tenants.

There is also a problem that is not dealt with in this legislation which is problematic, and that is, what is going to happen to the cities, towns and social housing that pay these costs and have no way of recouping those costs from the tenants who live there because of their poverty and because of the circumstances they find themselves in? All in all, this is very problematic, and I would ask the minister to rework this bill.

**The Acting Speaker:** Questions and comments?

**Mr Levac:** I appreciate the opportunity to talk on this bill. I will commend the member from Beaches-East York. He said he was going to talk about the bill, he was going to talk about the issue. He did, and I compliment him for doing that. He brings up some points that I think are valid in his riding and many ridings across the province.

My riding has talked to me on several occasions and indicated to me—I think a little bit of history is important here. Our municipality decided 10 years ago that they were going to start on a plan to eliminate debt on their books. They did that. Congratulations to the city council, to the many councils that it took to get to that point. They were debt-free. When the previous bill came in about this cap, guess what happened? A \$1-million debt to the city on Brantford Hydro. That's unbelievable. How far and how long were we going to try to sustain that if we didn't start to deal with the real issue?

We've got to be honest with ourselves in this place, as well as out there. We cannot sustain to keep putting debts on our municipalities that kept their utilities. It was \$1 million in Brantford alone. Can you imagine what that debt would be, multiplied across the province of Ontario? Those municipalities would have been hit with debts they could not afford to keep, if we did not start paying for that. And yet, the way the previous legislation was written, they were going to be forced to sign a resolution that it was their fault. It was reprehensible that the government would put that kind of legislation in place. So are we being honest? Absolutely. We're being honest that people need to pay for what they are using.

What was really interesting about this bill—and I commend the Minister of Energy—was the fact he understood that there are people who need to have a price that is not that high. We have people who can't afford those jumps and spikes in the market. He did the right thing; he made the adjustments accordingly. He's going to reward conservation, which we need desperately in this province. California did it in one year; we can do it in one year.

*Applause.*

**2100**

**Mr Dunlop:** I hope that applause is for me.

I'm pleased to rise again tonight to speak to the comments from the member for Beaches-East York, who

usually brings some good points to the debate here in this Legislature.

There are really two key points here. We'll see; time will tell with this piece of legislation. I'm certainly not going to be supporting the vote or second reading. Our concern is simply that this legislation will cause a number of our small businesses, agriculture operations and even some of our larger industrial and commercial operators to have some very difficult times with the lifting of the cap.

We were all asked about this during the recent election campaign, and of course I'm quite confident that we wouldn't have gone back on our word. I believe strongly that the cap would have stayed in place until 2006. That's what we believe. We believe in trying our best to keep our word on these certain issues.

What's at stake here is the future of the province, and I hope the economy of Ontario does well. I don't want to see things go bad as a result of this. Let's hope that this isn't a mistake. However, at this time I believe that there hasn't been enough evidence to prove that we're not making a mistake here by having the government introduce this legislation and support second reading.

Thank you for this opportunity, and I look forward to further comments.

**Mr Marchese:** I want to congratulate the member for Beaches-East York for reminding us about what this bill will do to tenants and how they're going to be whacked by increases they will not be able to afford.

I have no doubt that the Liberal promise made by the government, "Government that Works for You," is going to bring in rent control as they promised. They will be taken care of Michael, so don't you worry.

I want to stay on topic and say to the Liberals, whose platform was "Government that Works for You," that before they were in power they said things that I'm sure they regret having said. Some of them have spoken about how it takes a strong leader to break a promise. Conversely, he must have been a very weak leader when he couldn't keep that promise, poor man. In the old days, he would have waved this magic wand and said, "We can do it. We can keep the price cap on until 2006." He did. He had that wand. It's in here. It's not what I said; it's in here, in the Liberal government platform, "Government that Works for You." They believed they could keep the rate cap until 2006. It takes a strong leader to be able to break a promise, and they did. He's a strong man. Now they have recapped the cap.

In this bill, there is nothing that speaks to things that we said in our platform, that talks about Efficiency Ontario; that talks about enforcing building retrofit standards; that talks about working with local hydro commissions to lend money to pay for measures that would permanently reduce your home, school or workplace energy; nothing that talks about using current materials and technologies that would reduce our energy bills. This bill is not about conservation; it is about increasing the cost for electricity, and that is it, nothing more.

**Mr Kuldip Kular (Bramalea-Gore-Malton-Springdale):** As we are debating this energy bill, as you know, the previous government endorsed competitive pricing for electricity. They changed their mind and they finally put a cap on the electricity price. That has cost Ontario taxpayers about \$800 million a year.

When the party to which the member from Beaches-East York belongs was in power, the hydro rates went up by 40%. Their government built no new supply and never said they were going to lower the prices of electricity.

Our government's energy bill is the only one which has a plan to have energy conservation and many savings plans for Ontarians. Our energy bill is talking about replacing the coal-fired plants because the coal-fired plants pollute our environment.

As a physician, I know a polluted environment causes a lot of asthma. Asthma is the most common disease which, in children, causes hospital admissions. Our energy bill is going to help Ontarians save money.

**The Acting Speaker:** Response, member from Beaches-East York.

**Mr Prue:** I would like to thank those who commented: the government House leader from the riding of Brant, the member from Simcoe North, the member from Trinity-Spadina and the member from Bramalea-Gore-Malton-Springdale. You each had something unique to offer, a different perspective on my speech, and I'm glad that all of you were listening—so you know when they actually spoke about something I had to say.

Member from Brant, you're absolutely right. What is happening with the small independent hydro units like Brant Hydro—you were absolutely right in that they had become virtually debt-free and have suddenly found themselves, with the dictates of the previous government, now \$1 million in debt and need to get out from under that. But I have to say, with respect, I'm not sure where this bill is going to accommodate that. It is a noble gesture and one that I'm glad you raised.

On the second one, the member from Simcoe North talked about small business, and I would agree wholeheartedly with him that there is nothing in this bill that actually addresses the needs of small business, because small business has been paying the upper rate all along and will continue to pay the upper rate. This is a bill that is simply for homeowners and for mostly single-family residents.

The member from Trinity-Spadina talked about tenants and he talked also about reducing consumption. In terms of tenants, there is nothing in this bill that is going to protect them from price spikes. As long as the Tenant Protection Act remains in effect from the previous government, these costs can be turned right over to the tenants, who are virtually powerless, in spite of how much electricity they may or may not use.

Last but not least, the member from Bramalea-Gore-Malton-Springdale talked about the NDP not having built any supply, but I want to tell him, had the NDP spent billions of dollars to build supply in those years, the howls would have been even more.



**The Acting Speaker:** Further debate? Does the minister have a reply?

**Hon Mr Duncan:** I'll just be a moment. I thank all the members for their contribution to this debate. I want to note that all the members who wanted to speak on this bill have been able to speak, including all members of the NDP caucus, in spite of their protestations that this was time allocation. I want to acknowledge the contribution of the official opposition. I'm sorry to see that they're dead wrong on this. They continue to live by their views that they expressed when they were in government, but now we go to committee for two days of committee hearings, public and clause-by-clause—unusual to say the least—and third reading debate, which is important.

I want the record to show that the debate collapsed. All members who wished to speak, spoke. All the NDP members who wished to speak, spoke—I believe their entire caucus—in spite of their protestations that this was time allocation. This is an important bill. I will be joining the committee tomorrow morning in their deliberations. I look forward to participating with all members. I look forward to third reading debate, something that hasn't happened a lot here in the last few years, but most of all, this bill is the first step to a realistic energy policy that will ensure fair, reliable prices for a stable and adequate supply of energy for our children and our grandchildren.

**The Acting Speaker:** Pursuant to the order of the House dated December 4, 2003, I'm now required to put the question.

Mr Duncan has moved second reading of Bill 4, An Act to amend the Ontario Energy Board Act, 1998 with respect to electricity pricing. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."  
In my opinion, the ayes have it.

Call in the members. It will be a 10-minute bell.

*The division bells rang from 2111 to 2121.*

**The Acting Speaker:** All those in favour of the motion will please rise.

#### Ayes

Agostino, Dominic	Duncan, Dwight	Oraziotti, David
Arthurs, Wayne	Flynn, Kevin Daniel	Parsons, Ernie
Bartolucci, Rick	Gerretsen, John	Peters, Steve
Bentley, Christopher	Gravelle, Michael	Qaadri, Shafiq
Berardinetti, Lorenzo	Hoy, Pat	Ramal, Khalil
Brown, Michael A.	Jeffrey, Linda	Ramsay, David
Brownell, Jim	Kennedy, Gerard	Rinaldi, Lou
Cansfield, Donna H.	Kular, Kuldip	Ruprecht, Tony
Caplan, David	Leal, Jeff	Sandals, Liz
Chambers, Mary Anne V.	Levac, Dave	Smith, Monique
Cordiano, Joseph	Matthews, Deborah	Smitherman, George
Craiton, Kim	Mauro, Bill	Van Bommel, Maria
Crozier, Bruce	McMeekin, Ted	Watson, Jim
Di Cocco, Caroline	McNeely, Phil	Wilkinson, John
Dombrowsky, Leona	Milloy, John	Wynne, Kathleen O.
Duguid, Brad	Mitchell, Carol	Zimmer, David

**The Acting Speaker:** All those opposed to the motion will please rise.

#### Nays

Barrett, Toby	Martiniuk, Gerry	Prue, Michael
Dunlop, Garfield	Munro, Julia	Yakabuski, John
Marchese, Rosario	Ouellette, Jerry J.	

**Deputy Clerk (Ms Deborah Deller):** The ayes are 48; the nays are 8.

**The Acting Speaker:** I declare the motion carried.

Pursuant to the order of the House dated December 4, 2003, this bill stands referred to the standing committee on justice and social policy.

**Hon Mr Duncan:** Mr Speaker, I move adjournment of the House.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until 1:30 pm tomorrow.

*The House adjourned at 2124.*

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